Maſſachuſettenſis:

OR

A SERIES of LETTERS,

CONTAINING

A FAITHFUL STATE OF MANY IMPORTANT AND STRIKING FACTS,

WHICH LAID THE FOUNDATION OF THE

PRESENT TROUBLES

IN THE

Province of the *Maſſachuſetts-Bay;*

INTERSPERSED WITH

ANIMADVERSIONS and REFLECTIONS,

ORIGINALLY

Addreſſed to the PEOPLE of that Province, and worthy the Conſideration of the TRUE PATRIOTS of this Country.

By a PERSON of Honor upon the Spot.

Falſus Honor juvat, & mendax Infamia terret,
Quem, niſi mendoſum & mendacem? Vir bonus eſt quis?
Qui Conſulta Patrum, qui Leges Juraque ſervat.

HOR. Ep. xvi.

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PREFACE.

THIS excellent pamphlet was publiſhed in a ſeries of letters, which firſt appeared in one of the weekly news-papers at Boſton, and afterwards in the form of a pamphlet, entitled MASSACHUSETTENSIS, in the courſe of the laſt winter. It has been thought, that a republication of a detail and diſcuſſion of facts and circumſtances, which were unanſwerable upon the ſpot, might at leaſt ſilence the clamors of thoſe people at home, who, without proper evidence or information, but with an exceſs of terror for our public liberties, have perſuaded themſelves, that the cauſe of America and true patriotiſm is one and the ſame, and that, therefore, the conſtitution of this country muſt at all events ſubmit to the ruinous pretenſions of her colonies. To enlarge upon the merits of the piece itſelf, either reſpecting the intimate knowledge it contains of the ſubject, or the force, acumen and juſtice of the author's reaſonings (whatever room the editor may ſuppoſe there is for encomiums), is purpoſely omitted, in deference to the public, who will undoubtedly render the approbation it may be found to deſerve. It is neceſ-

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ſary, and only neceſſary, to ſay, that theſe letters were written by a gentleman of honor, rank and learning, who ſaw what he deſcribes, and who knows the truth of what he avers. The reflections, which he has made (and reflections, juſtly made, conſtitute, as M. *Rollin* obſerves, "the very ſoul "of hiſtory"), are natural and ſolid deductions from the ſtate of things under his own obſervation. They need only a candid and impartial peruſal to be both admitted and admired; though, to the diſgrace of human nature, it muſt be owned, in the words of a very ingenious writer, that *weak is the effect of eloquence* (and, I may add, even of reaſon and truth itſelf) *on the prædeterminations of party**. In a word, his facts and arguments not only ſeem inconteſtable; but there appears, throughout the whole, that ſpirit of philanthropy and concern for the welfare of his miſguided countrymen, which recommends the author as much to the heart, as his good ſenſe does his book to the underſtanding.

The reader, however, ought to be apprized of the author's meaning in the uſe of the words Whig and Tory, which frequently occur in the letters. Theſe terms have very different ſignifications in Old and New England. In America, the word TORY now implies *a friend to the ſupremacy of the Britiſh conſtitution over all the empire*; and the word WHIG, *an aſſerter of colonial independence*, or (what is juſt the ſame) of legiſlations, diſtinct and divided from Britiſh legiſlation, in all the ſeveral provinces. In this ſenſe, and in this ſenſe alone, are the terms applied

* Principles of Penal Law. c. v.

applied throughout the letters (as the author himſelf explains them at page 115.), and have no ſort of reference to the odious diſtinctions which formerly prevailed, but have now happily ſubſided, in this country, upon the notion of a *ſeparate* intereſt between the *King* and *People*. In the preſent controverſy, the King and People of the Britiſh iſlands have, and can have, but *one* intereſt; which American independence, aiming firſt at the *unity* of our conſtitution, then at the *extent* of our commerce, and laſtly at the *dignity* of our power, attempts to deſtroy. Yet this is the mock-patriotiſm of the day—a patriotiſm, founded on the ignorance of ſome, urged by the artifices of others, and tending to the ruin of all. To be a patriot in mode, is to aim at a ſeparation of the ſtate into *twenty* or *thirty* different parcels, inſtead of ſeeking a conſolidation of ſeveral provinces into *one* empire. People of this ſtamp are for ſaving our enemies the trouble of enforcing the difficult part of their motto — *divide & impera* — by attempting the *firſt* for them. Happily, the good ſenſe of the nation has begun to detect the impoſture; and, 'tis hoped, that, in a little time, the well-diſpoſed Americans will perceive, that Britons, deteſting tyranny in all its forms, and always willing to reſcue even foreign nations from the yoke of bondage, have no thoughts of impoſing it upon their children. They have ever been too brave to be ſlaves themſelves, and too generous to make ſlaves of others. They never had more liberty in their perſons, properties, religion, ſpeech, writings, and actions, than in the preſent reign: I had almoſt ſaid, they cannot have more, without an abrogation of all order and govern-

vernment. Theſe invaluable bleſſings can only be ſecured by the preſervation of their happy conſtitution. In a word, let their enemies name the monarchy or republic upon earth, which can boaſt their noble zeal for true liberty, or an equal poſſeſſion of public freedom!

And what has America obtained by her revolt from the conſtitution of Britain? I ſpeak not of that province, which is at preſent the ſeat of war; but of thoſe, who are yet unmoleſted in the exerciſe of their new prerogatives, and of their boaſted *natural rights*. What oppreſſions have not theſe endured from the arbitrary dictates of a lawleſs congreſs, or the ſavage determinations of an inſolent mob? Peaceable ſubjects, merely for being *peaceable*, have been haled away to priſon, forced into their army, or ſtripped of their poſſeſſions. Men, who have remonſtrated againſt ſuch brutal proceedings, have been ſtill more ignominiouſly treated, and, without either the appearance of legal deciſion or the forms of legal puniſhment, have been expoſed to all the indecent reſentments of an abandoned multitude. Clergymen, of the eſtabliſhed church, have been driven from their cures, upon no other account than for not omitting the prayer for the King and royal family, in the common uſe of divine ſervice. Theſe are ſome of the choiceſt bleſſings, which congreſſes and committees have beſtowed: Let me aſk, if ſuch can poſſibly be expected from the King and parliament of Great-Britain?

LETTER I.

To the Inhabitants of the Province of the MASSACHUSETTS-BAY.

WHEN a people, by what means ſoever, are reduced to ſuch a ſituation, that every thing they hold dear, as men and citizens, is at ſtake; it is not only excuſable, but even praiſeworthy, for an individual to offer to the public any thing, that he may think has a tendency to ward off the impending danger: nor ſhould he be reſtrained from an apprehenſion that what he may offer will be unpopular, any more than a phyſician ſhould be reſtrained from preſcribing a ſalutary medicine, through fear it might be unpalatable to his patient.

The preſs, when open to all parties and influenced by none, is a ſalutary engine in a free ſtate, perhaps a neceſſary one to preſerve the freedom of that ſtate; but, when a party has gained the aſcendency ſo far as to become the licenſers of the preſs, either by an act of government, or by playing off the reſentment of the populace againſt printers and authors; the preſs itſelf becomes an engine of oppreſſion or licentiouſneſs, and is as pernicious to ſociety as otherwiſe it would be beneficial. It is too true to be denied, that, ever ſince the origin of our controverſy with Great-Britain, the preſs, in this town [*Boſton*], has been much devoted to the partizans of liberty: they have been indulged in publiſhing what they pleaſed, *fas vel nefas*, while little has been publiſhed on the part of government. The effect this muſt have had upon the minds of the people in general is obvious; they muſt have formed their opinion upon a partial view of the ſubject, and of courſe it muſt have been in ſome degree erroneous: In ſhort, the changes

have been rung ſo often upon oppreſſion, tyranny and ſlavery, that, whether ſleeping or waking, they are continually vibrating in our ears; and it is now high time to aſk ourſelves, whether we have not been deluded by ſound only.

My dear countrymen, let us diveſt ourſelves of prejudice, take a view of our preſent wretched ſituation, contraſt it with our former happy one, carefully inveſtigate the cauſe, and induſtriouſly ſeek ſome means to eſcape the evils we now feel, and prevent thoſe that we have reaſon to expect.

We have been ſo long advancing to our preſent ſtate, and by ſuch gradations, that perhaps many of us are inſenſible of our true ſtate and real danger. Should you be told, that acts of high treaſon are flagrant through the country, that a great part of the province is in actual rebellion; would you believe it true? Should you not deem the perſon aſſerting it an enemy to the province? Nay, ſhould you not ſpurn him from you with indignation? Be calm, my friends, it is neceſſary to know the worſt of a diſeaſe, to enable us to provide an effectual remedy. Are not the bands of ſociety cut aſunder, and the ſanctions, that hold man to man, trampled upon? Can any of us recover a debt, or obtain compenſation for an injury, by law? Are not many perſons, whom once we reſpected and revered, driven from their homes and families, and forced to fly to the army for protection, for no other reaſon but their having accepted commiſſions under our king? Is not civil government diſſolved? Some have been made to believe, that nothing ſhort of attempting the life of the King, or fighting his troops, can amount to high treaſon or rebellion. If, reader, you are one of thoſe, apply to an honeſt lawyer (if ſuch an one can be found), and enquire what kind of offence it is, for a number of men to aſſemble armed, and forceably to obſtruct the courſe of juſtice, even to prevent the king's courts from being held at their ſtated terms; for a body of people to ſeize upon the king's provincial revenue, I mean the monies collected by virtue of grants made to his Majeſty for the ſupport of his government within this province; for a body of men to aſſemble without

without being called by authority, and to paſs governmental acts; or for a number of people to take the militia out of the hands of the king's repreſentative; or to form a new militia, or to raiſe men and appoint officers for a public purpoſe, without the order or permiſſion of the king or his repreſentative; or for a number of men to take to their arms, and march with a profeſſed deſign of oppoſing the king's troops: aſk, reader, of ſuch a lawyer, what is the crime, and what the puniſhment; and if per chance thou art one that haſt been active in theſe things, and art not inſenſibility itſelf, his anſwer will harrow up thy ſoul.

I aſſure you, my friends, I would not that this conduct ſhould be told beyond the borders of this province; I wiſh it were conſigned to perpetual oblivion; but, alas, it is too notorious to be concealed: our news-papers have already publiſhed it to the world, and we can neither prevent nor conceal it. The ſhaft is already ſped, and the utmoſt exertion is neceſſary to prevent the blow. We already feel the effects of anarchy: mutual confidence, affection and tranquillity, thoſe ſweeteners of human life, are ſucceeded by diſtruſt, hatred and wild uproar; the uſeful arts of agriculture and commerce are neglected for cabaling, mobbing this or the other man, becauſe he acts, ſpeaks, or is ſuſpected of thinking, different from the prevailing ſentiment of the times, in purchaſing arms and forming a militia, O height of madneſs! with a profeſſed deſign of oppoſing Great-Britain. I ſuſpect many of us have been induced to join in theſe meaſures, or but faintly to oppoſe them, from an apprehenſion that Great-Britain would not or could not exert herſelf ſufficiently to ſubdue America. Let us conſider this matter: However cloſely we may hug ourſelves in the opinion that the parliament has no right to tax or legiſlate for us, the people of England hold the contrary opinion as firmly: they tell us, we are a part of the Britiſh empire; that every ſtate from the nature of government muſt have a ſupreme uncontroulable power coëxtenſive with the empire itſelf; and that, that power is veſted in parliament. It is as abſurd to deny this doctrine in Great-Britain, as it is to aſſert it in the

colonies; ſo there is but little probability of ſerving ourſelves at this day by our ingenious diſtinctions between a right of legiſlature for one purpoſe and not for another. We have bid them defiance, and the longeſt ſword muſt carry it, unleſs we change our meaſures. Mankind are the ſame in all parts of the world; the ſame fondneſs for dominion, that preſides in the breaſt of an American, actuates the breaſt of an European. If the colonies are not a part of the Britiſh empire already, and ſubject to the ſupreme authority of the ſtate, Great-Britain will make them ſo. Had we been prudent enough to confine our oppoſition within certain limits, we might have ſtood ſome chance of ſucceeding once more; but alas we have paſſed the Rubicon. It is now univerſally ſaid and believed, in England, that if this opportunity of reclaiming the colonies, and reducing them to a ſenſe of their duty is loſt, they in truth will be diſmembered from the empire, and become as diſtinct a ſtate from Great-Britain as Hanover; that is, although they may continue their allegiance to the perſon of the King, they will own none to the imperial crown of Great-Britain, nor yield obedience to any of her laws but ſuch as they ſhall think proper to adopt. Can you indulge the thought one moment, that Great-Britain will conſent to this? For what has ſhe protected and defended the colonies againſt the maritime powers of Europe, from their firſt Britiſh ſettlement to this day? For what did ſhe purchaſe New-York of the Dutch? For what was ſhe ſo laviſh of her beſt blood and treaſure in the conqueſt of Canada, and other territories in America? Was it to raiſe up a rival ſtate, or to enlarge her own empire? Or, if the conſideration of empire was out of the queſtion, what ſecurity can ſhe have of our trade, when once ſhe has loſt our obedience? I mention theſe things, my friends, that you may know how people reaſon upon the ſubject in England; and to convince you that you are much deceived, if you imagine that Great-Britain will accede to the claims of the colonies: ſhe will as ſoon conquer New-England as Ireland or Canada, if either of them revolted; and by arms, if the milder influences of government prove ineffectual. Perhaps you are as fatally

tally miſtaken in another reſpect, I mean as to the power of Great-Britain to conquer; but can any of you, that think ſoberly upon the matter, be ſo deluded as to believe that Great-Britain, who ſo lately carried her arms with ſucceſs to every part of the globe, triumphed over the united powers of France and Spain, and whoſe fleets give law to the ocean, is unable to conquer us? Should the colonies unite in a war with Great-Britain (which by the way is not a ſuppoſable caſe) the colonies ſouth of Pennſylvania would be unable to furniſh any men; they have not more than is neceſſary to govern their numerous ſlaves, and to defend themſelves againſt the Indians. I will ſuppoſe that the northern colonies can furniſh as many, and indeed more men than can be uſed to advantage; but have you arms fit for a campaign? If you have arms, have you military ſtores, or can you procure them? When this war is proclaimed, all ſupplies from foreign parts will be cut off. Have you money to maintain the war? Or had you all thoſe things, ſome others are ſtill wanting which are abſolutely neceſſary to encounter regular troops, that is diſcipline, and that ſubordination whereby each can command all below him from a general officer to the loweſt ſubaltern: theſe you neither have nor can have in ſuch a war. It is well known that the provincials in the late war were never brought to a proper diſcipline, though they had the example of the regular troops to encourage, and the martial law to enforce it. We all know, notwithſtanding the province law for regulating the militia, it was under but little more command than what the officers could obtain from treating and humouring the common ſoldiers: what then can be expected from ſuch an army as you will bring into the field, if you bring any, each one a politician, puffed up with his own opinion, and feeling himſelf ſecond to none? Can any of you command ten thouſand ſuch men? Can you puniſh the diſobedient? Can all your wiſdom direct their ſtrength, courage and activity to any given point? Would not the leaſt diſappointment or unfavourable aſpect cauſe a general derelict-ion of the ſervice? Your new-fangled militia have already

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given us a *ſpecimen* of their future conduct. In ſome of their companies, they have already choſen two, in others three ſets of officers, and are as diſſatisfied with the laſt choice as the firſt. I do not doubt the natural bravery of my countrymen: all men would act the ſame part in the ſame ſituation. Such is the army, with which you are to oppoſe the moſt powerful nation upon the globe. An experienced officer would rather take his chance with five thouſand Britiſh troops, than with fifty thouſand ſuch militia. I have hitherto confined my obſervations to the war within the interior parts of the colonies; let us now turn our eyes to our extenſive ſea coaſt, and that we find wholly at the mercy of Great-Britain; our trade, fiſhery, navigation and maritime towns taken from us, the very day that war is proclaimed. Inconceivably ſhocking the ſcene, if we turn our views to the wilderneſs; our back ſettlements a prey to our ancient enemy, the Canadians, whoſe wounds received from us in the late war will bleed afreſh at the proſpect of revenge, and to the numerous tribes of ſavages, whoſe tender mercies are cruelties: thus with the Britiſh navy in the front, Canadians and ſavages in the rear, a regular army in the midſt, we muſt be certain that, when ever the ſword of civil war is unſheathed, devaſtation will paſs through our land like a whirlwind, our houſes be burnt to aſhes, our fair poſſeſſions laid waſte, and he that falls by the ſword will be happy in eſcaping a more ignominious death.

I have hitherto gone upon a ſuppoſition that all the colonies from Nova-Scotia to Georgia would unite in the war againſt Great-Britain; but I believe, if we conſider coolly upon the matter, we ſhall find no reaſon to expect any aſſiſtance out of New England: if ſo, there will be no arm ſtretched out to ſave us, New-England, or perhaps this ſelf devoted province will fall alone the unpitied victim of its own folly, and furniſh the world with one more inſtance of the fatal conſequences of rebellion.

I have as yet ſaid nothing of the difference in ſentiment among ourſelves: upon a ſuperficial view we might imagine, that this province was nearly unanimous, but,

but the caſe is far different. A very conſiderable part of the men of property in this province are at this day firmly attached to the cauſe of government; bodies of men compelling perſons to diſavow their ſentiments, to reſign commiſſions, or to ſubſcribe leagues and covenants, have wrought no change in their ſentiments: it has only attached them more cloſely to government, and cauſed them to wiſh more fervently, and to pray more devoutly for its reſtoration: theſe and thouſands beſide, if they fight at all, will fight under the banners of loyalty. I can aſſure you that aſſociations are now forming in ſeveral parts of this province for the ſupport of his Majeſty's government and mutual defence; and let me tell you, when ever the royal ſtandard ſhall be ſet up, there will be ſuch a flocking to it, as will aſtoniſh the moſt obdurate. And now, in God's name, what is it that has brought us to this brink of deſtruction? Has not the government of Great Britain been as mild and equitable in the colonies as in any part of her extenſive dominions? Has not ſhe been a nurſing mother to us from the days of our infancy to this time? Has ſhe not been indulgent almoſt to a fault? Might not each one of us at this day have ſat quietly under his own vine and fig-tree, and there have been none to make us afraid, were it not for our own folly? Will not poſterity be amazed, when they are told that the preſent diſtraction took its riſe from a three-penny duty on tea, and call it a more unaccountable frenzy, and more diſgraceful to the annals of America than that of the *witchcraft?*

I will attempt in the next paper to retrace the ſteps and mark the progreſſions that led us to this ſtate. I promiſe to do it with fidelity, and, if any thing ſhould look like reflecting on individuals or bodies of men, it muſt be ſet down to my impartiality, and not to a fondneſs for cenſuring.

MASSACHUSETTENSIS.

December 12, 1774.

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LETTER II.

To the Inhabitants of the Province of Maſſachuſetts-Bay.

My dear Countrymen,

I ENDEAVOURED laſt week to convince you of our real danger, not to render you deſperate, but to induce you to ſeek immediately ſome effectual remedy. Our caſe is not remedileſs, as we have to deal with a nation not leſs generous and humane than powerful and brave; juſt indeed, but not vindictive.

I ſhall, in this and ſucceſſive papers, trace this yet growing diſtemper through its ſeveral ſtages, from its firſt riſe to the preſent hour, point out the cauſes, mark the effects, ſhew the madneſs of perſevering in our preſent line of conduct, and recommend what, I have been long convinced, is our only remedy. I confeſs my ſelf to be one of thoſe that think our preſent calamity is in a great meaſure to be attributed to the bad policy of a popular party in this province; and that their meaſures for ſeveral years paſt, whatever may have been their intention, have been diametrically oppoſite to their profeſſion,—the public good; and cannot, at preſent, but compare their leaders to a falſe guide, who, having led a benighted traveller through many mazes and windings in a thick wood, finds himſelf at length on the brink of a horrid precipice, and, to ſave himſelf, ſeizes faſt hold of his follower, to the utmoſt hazard of plunging both headlong down the ſteep, and being daſhed in pieces together againſt the rocks below.

In ordinary caſes, we may talk in the meaſured language of a courtier; but when ſuch a weight of vengeance is ſuſpended over our heads, by a ſingle thread, as threatens every moment to cruſh us to atoms, delicacy itſelf would be ill-timed: I will declare the plain truth whenever I find it, and claim it as a right to canvaſs popular meaſures and expoſe their errors and pernicious tendency, as freely as governmental meaſures are canvaſſed, ſo long as I confine myſelf within the limits of the law.

At the concluſion of the late war, Great-Britain found, that, though ſhe had humbled her enemies, and greatly enlarged

larged her own empire, that the national debt amounted to almoſt one hundred and fifty millions, and that the annual expence of keeping her extended dominions in a ſtate of defence, which good policy dictates no leſs in a time of peace than war, was increaſed in proportion to the new acquiſitions. Heavy taxes and duties were already laid, not only upon the luxuries and conveniences, but even the neceſſaries of life in Great-Britain and Ireland. She knew, that the colonies were as much benefited by the conqueſts in the late war, as any part of the empire, and indeed *more ſo*, as their continental foes were ſubdued, and they might now extend their ſettlements not only to Canada, but even to the weſtern ocean—The greateſt opening was given to agriculture, the natural livelihood of the country, that ever was known in the hiſtory of the world, and their trade was protected by the Britiſh navy. The revenue to the crown, from America, amounted to but little more than the charges of collecting it.—She thought it as reaſonable, that the colonies ſhould bear a part of the national burden, as that they ſhould ſhare in the national benefit. For this purpoſe, the ſtamp-act was paſſed. The colonies ſoon found, that the duties impoſed by the ſtamp-act would be grievous, as they were laid upon cuſtom-houſe papers, law-proceedings, conveyancing, and indeed extended to almoſt all their internal trade and dealings. It was generally believed through the colonies, that this was a tax not only exceeding our proportion, but beyond our utmoſt ability to pay. This idea united the colonies generally in oppoſing it. At firſt we did not dream of denying the *authority* of parliament to tax us, much leſs to legiſlate for us. We had always conſidered ourſelves, as a part of the Britiſh empire, and the parliament, as the ſupreme legiſlature of the whole. Acts of parliament for regulating our internal polity were familiar. We had paid poſtage, agreeable to act of parliament for eſtabliſhing a poſt-office, duties impoſed for regulating trade, and even for raiſing a revenue to the crown, without queſtioning the right, though we cloſely adverted to the rate or quantum. We knew that, in all thoſe acts of government, the good of the whole had

been conſulted, and whenever, through want of information any thing grievous had been ordained, we were ſure of obtaining redreſs by a proper repreſentation of it. We were happy in our ſubordination; but in an evil hour, under the influence of ſome malignant planet, the deſign was formed of oppoſing the ſtamp-act by a denial of the right of parliament to make it. The love of empire is ſo predominant in the human breaſt, that we *rarely* find an individual content with relinquiſhing a power that he is able to retain; *never*, a body of men. Some few months after it was known that the ſtamp-act was paſſed, ſome reſolves of the houſe of burgeſſes in Virginia, denying the right of parliament to tax the colonies, made their appearance. We read them with wonder—they ſavoured of independence—they flattered the human paſſions—the reaſoning was ſpecious—we wiſhed it concluſive. The tranſition, to believing it ſo, was eaſy—and we, and almoſt all America, followed their example, in reſolving that the parliament had no ſuch right. It now became unpopular to ſuggeſt the contrary; his life would be in danger that aſſerted it. The news-papers were open to but one ſide of the queſtion; and the inflammatory pieces that iſſued weekly from the preſs, worked up the populace to a fit temper to commit the outrages that enſued. A non-importation was agreed upon, which alarmed the merchants and manufacturers in England. It was novel, and the people in England then ſuppoſed, that the love of liberty was ſo powerful in an American merchant, as to ſtifle his love of gain, and that the agreement would be religiouſly adhered to. It has been ſaid, that ſeveral thouſands were expended in England, to foment the diſturbances there. However that may be, oppoſition to the miniſtry was then gaining ground, from circumſtances, foreign to this.—The miniſtry was changed, and the ſtamp-act repealed.—The repealing ſtatute paſſed, with difficulty however, through the houſe of peers: near forty noble lords proteſted againſt giving way to ſuch an oppoſition, and foretold what has ſince literally come to paſs in conſequence of it. When the ſtatute was made, impoſing duties upon glaſs, paper,

India

India teas, &c. imported into the colonies, it was ſaid, that this was another inſtance of taxation; for ſome of the dutied commodities were neceſſaries, we had them not within ourſelves, were prohibited from importing them from any place except Great-Britain, were therefore obliged to import them from Great-Britain, and, conſequently, were obliged to pay the duties. Accordingly, news-paper publications, pamphlets, reſolves, non-importation agreements, and the whole ſyſtem of American oppoſition, were again put in motion. We obtained a partial repeal of this ſtatute, which took off the duties from all the articles, except teas. This was the lucky moment when to have cloſed the diſpute. We might have made a ſafe and honorable retreat. We had gained much, perhaps more than we expected. If the parliament had paſſed an act, declaratory of their right to tax us; our aſſemblies had reſolved, ten times, that they had no ſuch right. We could not complain of the three-penny duty on tea as burdenſome, for a ſhilling which had been laid upon it, for the purpoſe of regulating trade and therefore was allowed to be conſtitutional, was taken off; ſo that we were in fact gainers nine-pence in the pound by the new regulation. If the appropriation of the revenue, ariſing from this ſtatute was diſreliſhed, it was only our ſtriking off one article of luxury from our manner of living, an article too, which if we may believe the reſolves of moſt of the towns in this province, or rely on its *collected wiſdom* in a reſolve of the houſe of repreſentatives, was to the laſt degree ruinous to health. It was futile to urge its being a precedent, as a reaſon for keeping up the ball of contention; for, allowing the ſupreme legiſlature ever to want a precedent, they had many for laying duties on commodities imported into the colonies. And beſides, we had great reaſon to believe that the remaining part of the ſtatute would be repealed, as ſoon as the parliament ſhould ſuppoſe it could be done with honor to themſelves; as the incidental revenue, ariſing from the former regulation, was four fold to the revenue ariſing from the latter. A claim of the right, could work no injury, ſo long as there was no grievous exerciſe of it;

eſpecially as we had proteſted againſt it, through the whole, and could not be ſaid to have departed from our claims in the leaſt. We might now upon good terms have dropped the diſpute, and been happy in the affections of our mother-country; but *that* is yet to come. Party is inſeparable from a free ſtate. The ſeveral diſtributions of power, as they are limited by, ſo they create perpetual diſſentions between each other, about their reſpective boundaries; but the greateſt ſource is the competition of individuals for preferment in the ſtate. Popularity is the ladder by which the partizans uſually climb.—Accordingly the ſtruggle is, who ſhall have the greateſt ſhare of it. Each party profeſſes *diſintereſted patriotiſm*, though ſome cynical writers have ventured to aſſert, that ſelf-love is the ruling paſſion of the whole. There were two parties in this province of pretty long ſtanding, known by the name of *whig* and *tory*, which at this time were not a little imbittered againſt each other.—Men of abilities and acknowledged probity were on both ſides. If the tories were ſuſpected of purſuing their private intereſt through the medium of court favour, there was equal reaſon to ſuſpect the whigs of purſuing their private intereſt by the means of popularity. Indeed ſome of them owed all their importance to it, and muſt in a little time have ſunk into obſcurity, had theſe turbulent commotions then ſubſided.

The tories and whigs took different routs, as uſual. The tories were for cloſing the controverſy with Great-Britain, the whigs for continuing it: the tories were for reſtoring government in the province, which had become greatly relaxed by theſe convulſions, to its former tone; the whigs were averſe to it: they even refuſed to revive a temporary riot act, which expired about this time. Perhaps they thought, that mobs were a neceſſary ingredient in their ſyſtem of oppoſition: However, the whigs had great advantages in the unequal combat, their ſcheme flattered the people with the idea of independence; the tories' plan ſuppoſed a degree of ſubordination, which is rather an humiliating idea; beſides there is a propenſity in men to believe themſelves injured and oppreſſed whenever they are told ſo.

ſo. The ferment, raiſed in their minds in the time of the ſtamp-act, was not yet allayed, and the leaders of the whigs had gained the confidence of the people by their ſucceſſes in their former ſtruggle; ſo that they had nothing to do but to keep up the ſpirit among the people, and they were ſure of commanding in this province. It required ſome pains to prevent their minds ſettling into that calm, which is ordinarily the effect of a mild government; the whigs were ſenſible that there was no oppreſſion that could be either ſeen or felt; if any thing was in reality amiſs in government, it was its being too lax: So far was it from the innocent being in danger of ſuffering, that the moſt atrocious offenders eſcaped with impunity. They accordingly applied themſelves to work upon the imagination, and to inflame the paſſion; for this work they poſſeſſed great talents. I will do juſtice to their ingenuity: they were intimately acquainted with the feelings of man, and knew all the avenues to the human heart:—Effigies, paintings, and other imagery, were exhibited; the fourteenth of Auguſt was celebrated annually as a feſtival in commemoration of a mob's deſtroying a building, owned by the late Lieutenant Governor, which was ſuppoſed to have been erected for a ſtamp-office, and compelling him to reſign his office of ſtamp-maſter under liberty-tree; annual orations were delivered in the old-ſouth meeting houſe, on the fifth of March, the day when ſome perſons were unfortunately killed by a party of the twenty-ninth regiment; liſts of imaginary grievances were continually publiſhed; the people were told weekly, that the miniſtry had formed a plan to enſlave them; that the duty upon tea was only a prelude to a window-tax, hearth-tax, land-tax, and poll-tax, and theſe were only paving the way for reducing the country to lordſhips: this laſt bait was the more eaſily ſwallowed, as there ſeems to be an apprehenſion of that kind hereditary to the people of New-England; and they were conjured by the duty they owed themſelves, their country, and their GOD, by the reverence due to the ſacred memory of their anceſtors, and all their toils and ſufferings in this once inhoſpitable wilderneſs, and by their affections for unborn

unborn millions, to rouſe and exert themſelves in the common cauſe. This perpetual incantation kept the people in continual alarm. We were farther ſtimulated by being told, that the people of England were depraved, the parliament venal, and the miniſtry corrupt; nor were attempts wanting to traduce Majeſty itſelf. The kingdom of Great-Britain was depicted as an ancient ſtructure, once the admiration of the world, now ſliding from its baſe, and ruſhing to its fall. At the ſame time, we were called upon to mark our own rapid growth, and to behold the certain evidence that America was upon the eve of independent empire.

When we conſider what effect a well wrote tragedy or novel has on the human paſſions, though we know it to be all fictitious; what effect muſt all th s be ſuppoſed to have had upon thoſe, that believed theſe high wrought images to be realities?

The tories have been cenſured for remiſſneſs in not having exerted themſelves ſufficiently at this period: The truth of the caſe is this; they ſaw and ſhuddered at the gathering ſtorm, but durſt not attempt to diſpel it, leſt it ſhould burſt on their own heads. Printers were threatned with the loſs of their bread, for publiſhing freely on the tory ſide. One Mr. Mien was forced to fly the country for perſiſting in it.

All our diſſenting miniſters were not inactive on this occaſion. When the clergy engage in a political warfare, religion becomes a moſt powerful engine, either to ſupport or overthrow the ſtate. What effect muſt it have had upon the audience to hear the ſame ſentiments and principles which they had before read in a news-paper, delivered on Sundays from the pulpits, with a religious awe, and the moſt ſolemn appeals to heaven, from lips which they had been taught, from their cradles, to believe could utter nothing but eternal truths? What was it natural to expect from a people, bred under a free conſtitution, jealous of their liberty, credulous even to a proverb, when told their privileges were in danger, thus wrought upon in the extreme? I anſwer: —Outrages, diſgraceful to humanity itſelf.

What

What miſchief was not an artful man, who had obtained the confidence and guidance of ſuch an enraged multitude, capable of doing? He had only to point out this or the other man as an enemy to his country; and no character, ſtation, age or merit, could protect the proſcribed from their fury. Happy was it for him, if he could ſecrete his perſon, and ſubject his property only to their lawleſs ravages. By ſuch means, many people, naturally brave and humane, have been wrought upon to commit ſuch acts of private miſchief and public violence, as will blacken many a page in the hiſtory of our country.

I ſhall next trace the effects of this ſpirit, which the whigs had thus infuſed into the body of the people, through the courts of common law, and the general aſſembly; and mark the ways and means whereby they availed themſelves of it to the ſubverſion of our charter conſtitution, antecedent to the late act of parliament.

MASSACHUSETTENSIS.

December 19, 1774.

LETTER III.

To the Inhabitants of the Province of Maſſachuſetts-Bay.

TO undertake to convince a perſon of his error is the indiſpenſable duty, the certain, though dangerous, teſt of friendſhip. He that could ſee his friend perſevering in a fatal error, without reminding him of it, and ſtriving to reclaim him, through fear that he might thereby incur his diſpleaſure, would little deſerve the ſacred name himſelf. Such delicacy is not only falſe, but criminal. Were I not fully convinced, upon the moſt mature deliberation that I am capable of, that the temporal ſalvation of this province depends upon an entire and ſpeedy change of meaſures, which muſt depend upon a change of ſentiment, reſpecting our own conduct, and the juſtice of the Britiſh nation; I never ſhould have obtruded myſelf on the public.—I repeat my promiſe, to avoid perſonal reflection as much as the nature of the taſk will admit of; but I will continue faithfully to expoſe the wretched policy of the whigs, tho' I may be obliged to penetrate the *arcana*, and diſcover ſuch things

things as, were there not a neceſſity for it, I ſhould be infinitely happier in drawing a veil over, or covering with a mantle. Should I be ſo unfortunate as to incur your diſpleaſure, I ſhould nevertheleſs think myſelf happy if I can but ſnatch one of my fellow-ſubjects as a brand out of the burning.

Perhaps ſome may imagine, that I have repreſented too many of my countrymen, as well as the leading whigs, in an unjuſt point of light, by ſuppoſing *theſe* ſo wicked as to miſlead, or *thoſe* ſo little circumſpect as to be miſled, in matters of the laſt importance. Whoever has been converſant with the hiſtory of man, muſt know that it abounds with ſuch inſtances. The ſame game, and with the ſame ſucceſs, has been played in all ages and in all countries.

The bulk of the people are generally but little verſed in matters of ſtate. Want of inclination or opportunity to figure in public life, makes them content to reſt the affairs of government in the hands, where accident or merit has placed them. Their views and employments are confined to the humbler walks of buſineſs or retirement. There is a latent ſpark however in their breaſts, capable of being kindled into a flame; to do this has always been the employment of the diſaffected. They begin by reminding the people of the elevated rank they hold in the univerſe, as men; that all men by nature are equal; that Kings are but the miniſters of the people; that their authority is delegated to them by the people for their good; and that they have a right to reſume it, and place it in other hands, or keep it themſelves, whenever it is made uſe of to oppreſs them. Doubtleſs there have been inſtances, where theſe principles have been inculcated to obtain a redreſs of real grievances, but they have been much oftener perverted to the worſt of purpoſes.—No government, however perfect in theory, is adminiſtered in perfection; the frailty of man does not admit of it. A ſmall miſtake, in point of policy, often furniſhes a pretence to libel government, and perſuade the people, that their rulers are tyrants, and the whole government a ſyſtem of oppreſſion. Thus the ſeeds of ſedition are uſually ſown; and the people are led to ſacrifice

real

real liberty to licentiouſneſs, which gradually ripens into rebellion and civil war. And what is ſtill more to be lamented, the generality of the people, who are thus made the dupes of artifice, and the mere ſtilts of ambition, are ſure to be loſers in the end. The beſt they can expect, is to be thrown neglected by, when they are no longer wanted; but they are ſeldom ſo happy: if they are ſubdued, confiſcation of eſtate and ignominious death are their portion; if they conquer, their own army is often turned upon them, to ſubjugate them to a more tyrannical government than that they rebelled againſt. Hiſtory is replete with inſtances of this kind; we can trace them in remote antiquity; we find them in modern times, and have a remarkable one in the very country from which we are derived. It is an univerſal truth, that he that would excite a rebellion, whatever profeſſions of philanthropy he may make, when he is inſinuating and worming himſelf into the good graces of the people, is at heart as great a tyrant as ever wielded the iron rod of oppreſſion. I ſhall have occaſion hereafter to conſider this matter more fully, when I ſhall endeavour to convince you, how little we can gain, and how much we may loſe, by this unequal, unnatural, and deſperate conteſt. My preſent buſineſs is, to trace the ſpirit of oppoſition to Great-Britain through the general court, and the courts of common law. In moderate times, a repreſentative that votes for an unpopular meaſure, or oppoſes a popular one, is in danger of loſing his election the next year; when party runs high, he is ſure to do it. It was the policy of the whigs to have their queſtions, upon high matters, determined by yea and nay votes, which were publiſhed with the repreſentatives names in the next gazette. This was commonly followed by ſevere ſtrictures and the moſt illiberal invectives upon the diſſentients: ſometimes they were held up as objects of reſentment, of contempt at others; the abuſe was in proportion to the extravagance of the meaſure they oppoſed. This may ſeem not worth notice, but its conſequences were important. The ſcurrility made its way into the diſſentient's town, it furniſhed his competitor with means to ſupplant

him, and he took care to ſhun the rock his predeceſſor had ſplit upon. In this temper of the times, it was enough to know who voted with Caſſius and who with Lucius, to determine who was a friend and who an enemy to the country, without once adverting to the queſtion before the houſe. The loſs of a ſeat in the houſe was not of ſo much conſequence; but, when once he became ſtigmatized as an enemy to his country, he was expoſed to inſult; and if his profeſſion or buſineſs was ſuch, that his livelihood depended much on the good graces of his fellow citizens, he was in danger of loſing his bread and involving his whole family in ruin.

One particular ſet of members, in committee, always prepared the reſolves and other ſpirited meaſures. At firſt they were canvaſſed freely, at length would ſlide through the houſe without meeting an obſtacle: The lips of the diſſentients were ſealed up; they ſat in ſilence, and beheld with infinite regret the meaſures they durſt not oppoſe. Many were borne down againſt their wills by the violence of the current: upon no other principle can we reconcile their oſtenſible conduct in the houſe to their declarations in private circles. The apparent unanimity in the houſe encouraged the oppoſition out of doors, and *that* in its turn ſtrengthened the party in the houſe. Thus they went on, mutually ſupporting and up-lifting each other. Aſſemblies and towns reſolved alternately: ſome of them only omitted reſolving to ſnatch the ſceptre out of the hands of our Sovereign, and to ſtrike the imperial crown from his ſacred head.

A maſter-ſtroke in politics, reſpecting the agent, ought not to be neglected. Each colony has uſually an agent reſiding at the court of Great-Britain: Theſe agents are appointed by the three branches of their ſeveral aſſemblies, and indeed there cannot be a provincial agent without ſuch appointment. The whigs ſoon found, that they could not have ſuch ſervices rendered them from a provincial agent, as would anſwer their purpoſe. The houſe therefore refuſed to join with the other two branches of the general court in the appointment. The houſe choſe an agent for them-

themſelves; and the council appointed another. Thus we had two agents for private purpoſes, and the expence of agency doubled; and with equal reaſon a third might have been added, as agent for the Governor, and the charges been trebled.

The additional expence was of little conſideration, compared with another inconvenience that attended this new mode of agency. The perſon, appointed by the houſe, was the oſtenſible agent of the province, though in fact he was only the agent of a few individuals that had got the art of managing the houſe at their pleaſure. He knew his continuing in office depended upon *them*. An office that yielded ſeveral hundred pounds ſterling annually, the buſineſs of which conſiſted in little more than attending the levees of the Great, and writing letters to America, was worth preſerving. Thus he was under a ſtrong temptation to ſacrifice the province to a party; and echoed back the ſentiments of his patrons.

The advices, continually received from one of the perſons that was thus appointed agent, had great influence upon the members of the houſe of more moderate principles. He had puſhed his reſearches deep into nature, and made important diſcoveries: they thought he had done the ſame in politics, and did not admire him leſs as a politician than as a philoſopher. His intelligence, as to the diſpoſition of his Majeſty, the miniſtry, the parliament, and the nation in general, was deemed the moſt authentic. He adviſed us to keep up our oppoſition, to reſolve and re-reſolve, to cheriſh a military ſpirit; uniformly holding up this idea, that if we continued firm, we had nothing to fear from the government in England. He even propoſed ſome modes of oppoſition himſelf. The ſpirited meaſures were always uſhered into the houſe with a letter from him. I have been ſometimes almoſt ready to ſuſpect him of being the *primum mobile*, and that, like the man behind the curtain at a puppet-ſhew, he was playing off the figures here with his own ſecret wires. If he adviſed to theſe meaſures contrary to his better knowledge, from ſiniſter views, and to ſerve a private purpoſe, he has *wilfully* done the province irrepa-

rable injury. However, I will do him juſtice: he enjoined it upon us to refrain from violence, as that would unite the nation againſt us; and I am rather inclined to think that he was deceived himſelf with reſpect to the meaſures he recommended, as he had already felt the reſentment of that very government which he told us there was nothing to fear from. This diſpoſition of the houſe could not have produced ſuch fatal effects, had the other two branches of the legiſlature retained their conſtitutional freedom and influence. They might have been a ſufficient check.

The councillors depended upon the general aſſembly for their political exiſtence: the whigs reminded the council of their mortality. If a councillor oppoſed the violent meaſures of the whigs with any ſpirit, he loſt his election the next May. The council conſiſted of twenty-eight. From this principle, near half that number, moſtly men of the firſt families, note and abilities, with every poſſible attachment to their native country, and as far from temptation as wealth and independence could remove them, were tumbled from their ſeats in diſgrace. Thus the board, which was intended to moderate between the two extremes of prerogative and privilege, loſt its weight in the ſcale, and the political balance of the province was deſtroyed.

Had the chair been able to retain its own conſtitutional influence, the loſs of the board would have been leſs felt; but, no longer ſupported by the board, that fell likewiſe. The Governor, by the charter, could do little or nothing without the council. If he called upon a military officer to raiſe the militia, he was anſwered, they were there already. If he called upon his council for their aſſiſtance, they muſt firſt enquire into the cauſe. If he wrote to government at home to ſtrengthen his hands, ſome officious perſons procured and ſent back his letters.

It was not the perſon of a Bernard or Hutchinſon that made them obnoxious: any other governors would have met with the ſame fate, had they diſcharged their duty with equal fidelity; that is, had they ſtrenuouſly oppoſed the principles and practices of the whigs; and when they found that the government here could not ſupport itſelf,

wrote

wrote home for aid ſufficient to do it. And let me tell you, had the intimations in thoſe letters, which you are taught to execrate, been timely attended to, we had been as happy a people as good government could make us. Governor Bernard came here recommended by the affections of the province, over which he had preſided. His abilities are acknowledged. True Britiſh honeſty and punctuality are traits in his character too ſtrongly marked to eſcape the eye of prejudice itſelf. We know Governor Hutchinſon to be amiable and exemplary in private life: his great abilities, integrity and humanity, were conſpicuous in the ſeveral important departments that he filled, before his appointment to the chair, and reflect honour on his native country. But his abilities and integrity, added to his thorough knowledge of the province, in all its intereſts and connections, were inſufficient in this caſe. The conſtitution itſelf was gone, though the ancient form remained: the ſpirit was truly republican. He endeavoured to reclaim us by gentle means. He ſtrove to convince us by arguments, drawn from the firſt principles of government, our ſeveral charters, and the expreſs acknowledgments of our anceſtors, that our claims were inconſiſtent with the ſubordination due to Great-Britain; and, if perſiſted in, might work the deſtruction of thoſe that we were entitled to. For this, he was called an enemy to his country, and ſet up as a mark for the envenomed arrows of malice and party rage. Had I entertained a doubt about its being the governor, and not the man, that was aimed at; the admirable facility with which the news-paper abuſe was transferred from Governor Hutchinſon to his humane and benevolent ſucceſſor, General Gage, almoſt as ſoon as he ſet foot on our ſhore, would have removed it.

Thus, diſaffection to Great-Britain being infuſed into the body of the people, the ſubtle poiſon ſtole through all the veins and arteries, contaminated the blood, and deſtroyed the very ſtamina of the conſtitution. Had not the courts of juſtice been tainted in the early ſtages, our government might have expelled the virus, purged off the peccant humors, and recovered its former vigour by its own ſtrength.

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The judges of the ſuperior courts were dependent upon the annual grants of the general court for their ſupport. Their ſalaries were ſmall in proportion to the ſalaries of other officers in the government of leſs importance.

They had often petitioned the aſſembly to enlarge them, without ſucceſs. They were at this time reminded of their dependence. However, it is but juſtice to ſay, that the judges remained unſhaken, amid the raging tempeſts, which is to be attributed rather to their firmneſs than ſituation. But the ſpirit of the times was very apparent in the juries. The grand jurors were elective; and in ſuch places where libels, riots, and inſurrections were the moſt frequent, the high whigs took care to get themſelves choſen. The judges pointed out to them the ſeditious libels on governors, magiſtrates, and the whole government; but to no effect. They were enjoined to preſent riots and inſurrections, of which there was ample evidence, with as little ſucceſs.

It is difficult to account for ſo many of the firſt rate whigs being returned to ſerve on the petit-jury at the term next after extraordinary inſurrections, without ſuppoſing ſome legerdemain in drawing their names out of the box. It is certain, that, notwithſtanding ſwarms of the moſt virulent libels infeſted the province, and there were ſo many riots and inſurrections, ſcarce one offender was indicted, and I think not one convicted and puniſhed. Cauſes of *meum et tuum* were not always exempt from party influence. The mere circumſtance of the whigs gaining the aſcendency over the tories is trifling. Had the whigs divided the province between them, as they once flattered themſelves they ſhould be able to do, it would have been of little conſequence to the community, had they not cut aſunder the very ſinews of government, and broke in pieces the ligaments of ſocial life in the attempt. I will mention two inſtances, which I have ſelected out of many, of the weakneſs of our government, as they are recent and unconnected with acts of parliament. One Malcolm, a loyal ſubject, and, as ſuch, entitled to protection, the evening before the laſt winter ſeſſions of the general-court, was dragged out of his houſe, ſtripped, tarred and feathered, and

and carted ſeveral hours in the ſevereſt froſt of that winter, to the utmoſt hazard of his life. He was carried to the gallows with an halter about his neck, and, in his paſſage to and from the gallows, was beaten with as cruel ſtripes as ever were adminiſtered by the hands of a ſavage. The whipping, however, kept up the circulation of his blood, and ſaved the poor man's life. When they had ſatiated their malice, they diſperſed in good order. This was tranſacted in the preſence of thouſands of ſpectators, ſome of whom were members of the general-court. Malcolm's life was deſpaired of ſeveral days, but he ſurvived and preſented a memorial to the general aſſembly, praying their interpoſition. The petition was read, and all he obtained was, leave to withdraw it. So that he was deſtitue of protection every hour until he left the country; as were thouſands beſide, until the arrival of the King's troops. This originated in a ſmall fracas in the ſtreet, wherein Malcolm ſtruck, or threatened to ſtrike, a perſon that inſulted him, with a cutlaſs, and had no connection with the quarrel of the times, unleſs his ſuſtaining a ſmall poſt in the cuſtoms made it.

The other inſtance is much ſtronger than this, as it was totally detached from politics. It had been ſuſpected, that infection had been communicated from an hoſpital, lately erected at Marblehead, for the purpoſe of innoculating the ſmall-pox, to the town's people. This cauſed a great inſurrection: the inſurgents burnt the hoſpital; not content with that, threatened the proprietors and many others, ſome of the firſt fortunes and characters in the town, with burning their houſes over their heads, and continued parading the ſtreets, to the utmoſt terror of the inhabitants ſeveral days. A maſſacre and general devaſtation was apprehended. The perſons threatened, armed themſelves, and petitioned the general-aſſembly, which was then ſitting, for aſſiſtance, as there was little or no civil authority in the place. A committee was ordered to repair to Marblehead, report the facts, and enquire into the cauſe. The committee reported the facts nearly as ſtated in the petition; the report was accepted, and nothing farther done by the aſſembly. Such demonſtrations of the

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weakneſs of government, induced many perſons to join the whigs, to ſeek from them that protection, which the conſtitutional authority of the province was unable to afford.

Government, at home, early in the day, made an effort to check us in our career, and to enable us to recover from anarchy without her being driven to the neceſſity of altering our provincial conſtitution, knowing the predilection that people always have for an antient form of government. The judges of the ſuperior court had not been ſtaggered, though their feet ſtood in ſlippery places; they depended upon the leading whigs for their ſupport. To keep them ſteady, they were made independent of the grants of the general-aſſembly. But it was not a remedy any way adequate to the diſeaſe. The whigs now turned their artillery againſt them; and it played briſkly. The chief juſtice, for accepting the crown grant, was accuſed of receiving a royal bribe.

Thus, my friends, thoſe very perſons, who had made you believe, that every attempt to ſtrengthen government, and ſave our charter, was an infringement of your privileges; by little and little, deſtroyed your real liberty, ſubverted your charter conſtitution, abridged the freedom of the houſe, annihilated the freedom of the board, and rendered the governor a mere doge of Venice. They engroſſed all the power of the province into their own hands: A democracy or republic it has been called, but it does not deſerve the name of either.—It was, however, a deſpotiſm, cruelly carried into execution by mobs and riots, and more incompatible with the rights of mankind, than the enormous monarchies of the Eaſt. The abſolute neceſſity of the interpoſition of parliament is apparent. The good policy of the act, for regulating the government in this province, will be the ſubject of ſome future paper. A particular Inquiry into the deſpotiſm of the whigs will be deferred for a chapter on congreſſes. I ſhall next aſk your attention to a tranſaction, as important in its conſequences, and perhaps more ſo, than any I have yet mentioned, I mean the deſtruction of the tea, belonging to the Eaſt-India company. I am ſenſible of the difficulty of the taſk, in combating generally

nerally received opinions. It is hard work to eradicate deep-rooted prejudice. But I will perſevere. There are hundreds, if not thouſands, in the province, that will feel the truth of what I have written, line by line, as they read it; and as to thoſe who obſtinately ſhut their eyes againſt it now, haply the fever of the times may intermit; there may be ſome lucid interval when their minds ſhall be open to truth before it is too late to ſerve them, otherwiſe it will be revealed to them in bitter moments, attended with keen remorſe and unutterable anguiſh. *Magna eſt veritas et prævalebit.*

MASSACHUSETTENSIS.

December 26, 1774.

LETTER IV.

To the Inhabitants of the Province of Maſſachuſetts-Bay.

PERHAPS, by this time, ſome of you may enquire who it is, that ſuffers his pen to run ſo freely? I will tell you; it is a native of this province, that knew it before many, that are now baſking in the rays of political ſunſhine, had a being. He was favored, not by whigs or tories, but the people, with ſuch a ſtand in the community, as that he could diſtinctly ſee all the political manœuvres of the province. He ſaw ſome with pleaſure, others with pain. If he condemns the conduct of the whigs, he does not always approve of the conduct of the tories. He dwells upon the miſconduct of the former, becauſe we are indebted to that for bringing us into this wretched ſtate; unleſs the ſupineneſs of the latter, at ſome periods, and ſome impolitic efforts to check the whigs in their career, at others, that ſerved like adding fuel to the fire, ought to be added to the account. He is now repaying your favours, if he knows his own heart, from the pureſt gratitude and the moſt undiſſembled patriotiſm, which will one day be acknowledged. I ſaw the ſmall ſeed of ſedition, when it was implanted: It was, as a grain of muſtard. I have watched the plant until it has become a great tree; the vileſt reptiles that crawl upon the earth, are concealed at the root; the fouleſt birds

of the air reſt upon its branches. I now would induce you to go to work immediately with axes and hatchets, and cut it down, for a two-fold reaſon; becauſe it is a peſt to ſociety, and leſt it be felled ſuddenly by a ſtronger arm, and cruſh its thouſands in the fall.

An apprehenſion of injuſtice in the conduct of Great-Britain towards us, I have already told you was one ſource of our miſery. Laſt week I endeavoured to convince you of the neceſſity of her regulating, or rather eſtabliſhing, ſome government amongſt us. I am now to point out the principles and motives, upon which the blockade act was made. The violent attack upon the property of the Eaſt-India company, in the deſtruction of their tea, was the cauſe of it. In order to form a right judgment of that tranſaction, it is neceſſary to go back and view the cauſe of its being ſent here. As the government of England is mixt, ſo the ſpirit or genius of the nation is at once monarchical, ariſtocratical, democratical, martial, and commercial. It is difficult to determine, which is the moſt predominant principle; but it is worthy of remark, that to injure the Britiſh nation upon either of theſe points, is like injuring a Frenchman in the point of honor. Commerce is the great ſource of national wealth; for this reaſon it is cheriſhed by all orders of men from the palace to the cottage. In ſome countries, a merchant is held in contempt by the nobles; in England they reſpect him. He riſes to high honors in the ſtate, often contracts alliances with the firſt families in the kingdom, and noble blood flows in the veins of his poſterity. Trade is founded upon perſons or countries mutually ſupplying each other with their redundances. Thus none are impoveriſhed, all enriched, the aſperities of human life worn away, and mankind made happier by it. Huſbandry, manufacture, and merchandize are its triple ſupport: deprived of either of theſe, it would ceaſe.

Agriculture is the natural livelihood of a country but thinly inhabited, as arts and manufactures are of a populous one. The high price of labour prevents manufactures being carried on to advantage in the firſt; ſcarcity of ſoil obliges

obliges the inhabitants to purſue them in the latter. Upon theſe, and the conſiderations ariſing from the fertility and produce of different climates, and ſuch like principles, the grand ſyſtem of the Britiſh trade is founded. The collected wiſdom of the nation has always been attentive to this great point of policy, that the national trade might be ſo balanced and poiſed, as that each part of her extended dominions might be benefited, and the whole concentre to the good of the empire. This evinces the neceſſity of acts for regulating trade.

To prevent one part of the empire being enriched at the expence and to the impoveriſhing of another, checks, reſtrictions, and ſometimes abſolute prohibitions, are neceſſary. Theſe are impoſed or taken off as circumſtances vary. To carry the acts of trade into execution, many officers are neceſſary. Thus we ſee a number of cuſtom-houſe officers ſo conſtituted, as to be checks and controuls upon each other, and prevent their ſwerving from their duty, ſhould they be tempted; and a board of commiſſioners appointed to ſuperintend the whole, like the commiſſioners of the cuſtoms in England. Hence alſo ariſes the neceſſity of courts of admiralty.

The laws and regulations of trade are eſteemed in England as ſacred. An eſtate made by ſmuggling, or purſuing an illicit trade, is there looked upon as filthy lucre, as monies amaſſed by gaming; and upon the ſame principle, becauſe it is obtained at the expence and often ruin of others. The ſmuggler not only injures the public, but often ruins the fair trader.

The great extent of ſea-coaſt, many harbours, the variety of iſlands, the numerous creeks and navigable rivers, afford the greateſt opportunity to drive an illicit trade in theſe colonies without detection. This advantage has not been overlooked by the avaricious, and many perſons ſeem to have ſet the laws of trade at a defiance. This accounts for ſo many new regulations being made, new officers appointed, and ſhips of war from time to time ſtationed along the continent. The way to *Holland* and back again is well known and by much the greateſt part of the tea that has

been drank in America for ſeveral years, has been imported from thence and other places, in direct violation of law. By this the ſmugglers have amaſſed great eſtates, to the prejudice of the fair trader. It was ſenſibly felt by the Eaſt India company; they were prohibited from exporting their teas to America, and were obliged to ſell it at auction in London; the London merchant purchaſed it, and put a profit upon it when he ſhipt it for America; the American merchant, in his turn, put a profit upon it, and after him the ſhopkeeper; ſo that it came to the conſumers hands at a very advanced price. Such quantities of tea were annually ſmuggled, that it was ſcarcely worth while for the American merchant to import tea from England at all. Some of the principal trading towns in America were wholly ſupplied with this commodity by ſmuggling: Boſton however continued to import it, until advice was received that the parliament had it in contemplation to permit the Eaſt-India company to ſend their teas directly to America. The Boſton merchants then ſent their orders conditionally to their correſpondents in England, to have tea ſhipt for them, in caſe the Eaſt-India company's tea did not come out. One merchant, a great whig, had ſuch an order lying in England for ſixty cheſts, on his own account, when the company's tea was ſent. An act of parliament was made to enable the Eaſt-India company to ſend their tea directly to America, and ſell it at auction there; not with a view of raiſing a revenue from the three-penny duty, but to put it out of the power of the ſmugglers to injure them by their infamous trade. We have it from good authority, that the revenue was not the conſideration before parliament; and it is reaſonable to ſuppoſe it: for had *that* been the point in view, it was only to reſtore the former regulation, which was then allowed to be conſtitutional, and the revenue would have been reſpectable. Had this new regulation taken effect, the people in America would have been great gainers. The wholeſale merchant might have been deprived of ſome of his gains; but the retailer would have ſupplied himſelf with this article, directly from the auction, and the conſumer reap the benefit; as tea would have been

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ſold, under the price that had been uſual, by near one half. Thus the country in general would have been great gainers, the Eaſt India company ſecured in ſupplying the American markets with this article, which they are entitled to by the laws of trade, and ſmuggling ſuppreſſed, at leaſt as to tea. A ſmuggler and a whig are couſin-germans, the offspring of two ſiſters, avarice and ambition. They had been playing into each others hands a long time. The ſmuggler received protection from the whig; and he, in his turn, received ſupport from the ſmuggler. The illicit trader now demanded protection from his kinſman, and it would have been unnatural in him to have refuſed it; and beſide, an opportunity preſented of ſtrengthening his own intereſt. The conſignees were connected with the tories, and that was a further ſtimulus.—Accordingly, the preſs was again ſet to work, and the old ſtory repeated with additions about monopolies; and many infatuated perſons once more wrought up to a proper pitch to carry into execution any violent meaſures, that their leaders ſhould propoſe. A bold ſtroke was reſolved upon. The whigs, though they had got the art of managing the people, had too much ſenſe to be ignorant that it was all a mere fineſſe, not only without, but directly repugnant to law, conſtitution and government, and could not laſt always. They determined to put all at hazard, and to be *aut Cæſar aut nihil.* The approaching ſtorm was foreſeen; and the firſt ſhip that arrived with the tea was detained below Caſtle-William. A body meeting was aſſembled at the old-ſouth meeting-houſe, which has great advantage over a town-meeting, as no law has yet aſcertained the qualification of the voters; each perſon preſent, of whatever age, eſtate, or country, may take the liberty to ſpeak or vote at ſuch an aſſembly; and that may ſerve as a ſkreen to the town where it originated, in caſe of any diſaſtrous conſequence. The body-meeting conſiſting of ſeveral thouſands, being thus aſſembled, with the leading whigs at its head, in the firſt place ſent for the owner of the tea-ſhip, and required him to bring her to the wharf, upon pain of their diſpleaſure; the ſhip was accordingly brought up, and the maſter was obliged to enter at the cuſtom-

cuſtom-houſe: He reported the tea, after which twenty days are allowed for landing it and paying the duty.

The next ſtep was to reſolve.—They reſolved that the tea ſhould not be landed, nor the duty paid, that it ſhould go home in the ſame bottom that it came in, &c &c. This was the ſame as reſolving to deſtroy it, for as the ſhip had been compelled to come to the wharf, and was entered at the cuſtom-houſe, it could not, by law, be cleared out, without the duties being firſt paid, nor could the Governor grant a permit for the veſſel to paſs Caſtle-William, without a certificate from the cuſtom-houſe of ſuch clearance, conſiſtent with his duty. The body accordingly ordered a military guard to watch the ſhip every night until further orders. The conſignees had been applied to, by the ſelectmen, to ſend the tea to England: they anſwered, they could not, for if they did, it would be forfeited by the acts of trade, and they ſhould be liable to make good the loſs to the Eaſt-India company. Some of the conſignees were mobbed, and all were obliged to fly to the caſtle, and there immure themſelves. They petitioned the Governor and Council to take the property of the Eaſt-India company under their protection. The council declined being concerned in it. The conſignees then offered the body to ſtore the tea under the care of the ſelectmen or a committee of the town of Boſton, and to have no further concern in the matter until they could ſend to England, and receive further inſtructions from their principals. This was refuſed with diſdain. The military guard was regularly kept in rotation till the eve of the twentieth day, when the duties muſt have been paid, the tea landed, or be liable to ſeizure; then the military guard was withdrawn, or rather omitted being poſted; and a number of perſons in diſguiſe forceably entered the ſhips (three being by this time arrived) ſplit open the cheſts, and emptied all the tea, being of ten thouſand pounds ſterling value, into the dock, and perfumed the town with its fragrance. Another circumſtance ought not to be omitted: the afternoon before the deſtruction of the tea, the body ſent the owner of one of the ſhips to the Governor, to demand a paſs; he anſwered, that he would

would as ſoon give a paſs for that as any other veſſel, if he had the proper certificate from the cuſtom-houſe, without which he could not give a paſs for any, conſiſtent with his duty. It was known that this would be the anſwer, when the meſſage was ſent; and it was with the utmoſt difficulty that the body were kept together till the meſſenger returned. When the report was made, a ſhout was ſet up in the galleries and at the door, and the meeting immediately diſperſed. The Governor had, previous to this, ſent a proclamation by the ſheriff, commanding the body to diſperſe; they permitted it to be read, and anſwered it with a general hiſs. Theſe are the facts as truly and fairly ſtated, as I am able to ſtate them. The oſtenſible reaſon for this conduct, was the tea's being ſubject to the three-penny duty. Let us take the advocates for this tranſaction upon their own principle, and admit the duty to be unconſtitutional, and ſee how the argument ſtands. Here is a cargo of tea, ſubject, upon its being entered and landed, to a duty of three-pence per pound, which is paid by the Eaſt-India company, or by their factors, which amounts to the ſame thing. Unleſs we purchaſe the tea, we ſhall never pay the duty; if we purchaſe it, we pay the three-pence included in the price; therefore, leſt we ſhould purchaſe it, we have a right to deſtroy it. A flimſy pretext! and it either ſuppoſes the people deſtitute of virtue, or that their purchaſing of the tea was a matter of no importance to the community; but even this gauze covering is ſtripped off, when we conſider, that the Boſton merchants, and ſome who were active at the body-meeting, were every day importing from England large quantities of tea, ſubject to the ſame duty, and vending it unmoleſted; and at this time had orders lying in their correſpondents hands, to ſend them conſiderable quantities of tea, in caſe the Eaſt-India company ſhould not ſend it themſelves.

When the news of this tranſaction arrived in England, and it was conſidered in what manner almoſt every other regulation of trade had been evaded by artifice, and when artifice could no longer ſerve, recourſe was had to violence; the

the Britiſh lion was rouſed. The crown-lawyers were called upon for the law; they anſwered, High-treaſon. Had a Cromwell, whom ſome amongſt us deify and imitate, in all his imitable perfections, had the guidance of the national ire; unleſs compenſation had been made to the ſufferers immediately upon its being demanded, your proud capital had been levelled with the duſt; not content with that, rivers of blood would have been ſhed to make atonement for the injured honour of the nation. It was debated whether to attaint the principals of treaſon. We have a gracious King upon the throne, he felt the reſentment of a man, ſoftened by the relentings of a parent. The bowels of our mother-country yearned towards her refractory, obſtinate child.

It was determined to conſider the offence in a milder light, and to compel an indemnification for the ſufferers, and prevent the like for the future, by ſuch means as would be mild, compared with the inſult to the nation, or ſevere, as our future conduct ſhould be: That was to depend upon us. Accordingly, the blockade act was paſſed; and had an act of juſtice been done in indemnifying the ſufferers, and an act of loyalty in putting a ſtop to ſeditious practices, our port had long ſince been opened. This act has been called unjuſt, becauſe it involves the innocent in the ſame predicament with the guilty: But it ought to be conſidered, that our news-papers had announced to the world, that ſeveral thouſands attended thoſe body-meetings; and it did not appear, that there was one diſſentient, or any proteſt entered. I do not know, how a perſon could expect diſtinction in ſuch a caſe, if he neglected to diſtinguiſh himſelf. When the noble lord propoſed it in the Houſe of Commons, he called upon all the members preſent to mention a better method of obtaining juſtice in this caſe: ſcarce one denied the neceſſity of doing ſomething; but none could mention a more eligible way. Even miniſterial oppoſition was abaſhed. If any parts of the act ſtrike us, like the ſeverity of a maſter; let us coolly advert to the aggravated inſult, and, perhaps, we ſhall wonder at the lenity of a parent. After this tranſaction, all

parties

parties ſeem to have laid upon their oars, waiting to ſee what parliament would do. When the blockade act arrived, many and many were deſirous of paying for the tea immediately; and ſome, who were guiltleſs of the crime, offered to contribute to the compenſation: but our leading whigs muſt ſtill rule the roaſt, and that inauſpicious influence, that had led us hitherto, plunged us ſtill deeper in miſery. The whigs ſaw their ruin connected with a compliance with the terms of opening the port; as it would afford a convincing proof of the wretchedneſs of their policy in the deſtruction of the tea, and as they might juſtly have been expected to pay the money demanded themſelves; and ſo ſet themſelves induſtriouſly to work to prevent it, and engage the other colonies to eſpouſe their cauſe.

This was a criſis too important and alarming to the province to be neglected by its friends. A number of as reſpectable perſons as any in this province, belonging to Boſton, Cambridge, Salem, and Marblehead, now came forward, publicly to diſavow the proceedings of the whigs, to do juſtice to the much injured character of Mr. Hutchinſon, and to ſtrengthen his influence at the court of Great-Britain, where he was going to receive the well-deſerved plaudit of his ſovereign, that he might be able to obtain a repeal or ſome mitigation of that act, the terms of which, they foreſaw, the perverſeneſs of the whigs would prevent a compliance with. This was done by ſeveral addreſſes, which were ſubſcribed by upwards of two hundred perſons, and would have been by many more, had not the ſudden embarkation of Mr. Hutchinſon prevented it. The juſtices of the court of common pleas and general ſeſſions of the peace, for the county of Plymouth, ſent their addreſs to him in England. There were ſome of almoſt all orders of men, among theſe addreſſers; but they conſiſted principally of men of property, and of large family connections; and ſeveral were independent in their circumſtances, and lived wholly upon the income of their eſtates. Some indeed might be called partizans; but a very conſiderable proportion were perſons that had, of choice, kept themſelves at a diſtance from the political vortex, had beheld the competition of the whigs

and tories, without any emotion; while the community remained ſafe, had looked down on the political dance, in its various mazes and intricacies, and ſaw one falling, another riſing, rather as a matter of amuſement: but, when they ſaw the capital of the province upon the point of being ſacrificed by political cunning, it called up all their feelings.

Their motives were truly patriotic. Let us now attend to the ways and means by which the whigs prevented theſe exertions producing a good effect. Previous to this, a new and, till lately unheard of, mode of oppoſition had been deviſed, ſaid to be the invention of the fertile brain of one of our party agents, called a committee of correſpondence. This is the fouleſt, ſubtleſt and moſt venomous ſerpent, that ever iſſued from the eggs of ſedition. Theſe committees generally conſiſt of the higheſt whigs, or at leaſt there is ſome high whig among them, that is the ruling ſpirit of the whole. They are commonly appointed at thin town-meetings, or if the meetings happen to be full, the moderate men ſeldom ſpeak or act at all when this ſort of buſineſs comes on: They have been by much too modeſt. Thus the meeting is often prefaced with "At a full town-meeting," and the ſeveral reſolves headed with *nem. con.* with ſtrict truth; when, in fact, but a ſmall proportion of the town have had a hand in the matter. It is ſaid that the committee for the town of Boſton was appointed for a ſpecial purpoſe, and that their commiſſion long ſince expired. However that may be, theſe committees, when once eſtabliſhed, think themſelves amenable to none; they aſſume a dictatorial ſtile, and have an opportunity, under the apparent ſanction of their ſeveral towns, of clandeſtinely wreaking private revenge on individuals, by traducing their characters, and holding them up as enemies to their country wherever they go, as alſo of miſrepreſenting facts and propagating ſedition through the country. Thus, a man of principle and property, in travelling through the country, would be inſulted by perſons whoſe faces he had never before ſeen, he would often feel the ſmart without ſuſpecting the hand that adminiſtred the blow. Theſe committees,

tees, as they are not known in law, and can derive no authority from thence, leſt they ſhould not get their ſhare of power, ſometimes engroſs it all; they frequently erect themſelves into a tribunal, where the ſame perſons are at once legiſlator, accuſers, witneſſes, judges and jurors, and the mob the executioners. The accuſed has no day in court, and the execution of the ſentence is the firſt notice he receives. This is the channel through which liberty matters have been chiefly conducted the ſummer and fall paſt. This accounts for the ſame diſtempers breaking out in different parts of the province at one and the ſame time, which might be attributed to ſomething ſupernatural by thoſe that were unacquainted with the ſecret conductors of the infection. It is chiefly owing to theſe committees, that ſo many reſpectable perſons have been abuſed, and forced to ſign recantations and reſignations; that ſo many perſons, to avoid ſuch reiterated inſults, as are more to be deprecated by a man of ſentiment than death itſelf, have been obliged to quit their houſes, families and buſineſs, and fly to the army for protection; that huſband has been ſeparated from wife, father from ſon, brother from brother, the ſweet intercourſe of conjugal and natural affection interrupted, and the unfortunate refugee forced to abandon all the comforts of domeſtic life. My countrymen, I beg you to pauſe and reflect on this conduct: have not theſe people, that are thus inſulted, as good a right to think and act for themſelves in matters of the laſt importance as the whigs? Are they not as cloſely connected with the intereſt of their country as the whigs? Do not their former lives and converſations appear to have been regulated by principle, as much as thoſe of the whigs? You muſt anſwer, yes. Why then do you ſuffer them to be cruelly treated for differing in ſentiment from you? Is it conſiſtent with that liberty you profeſs? Let us wave the conſideration of right and liberty, and ſee if this conduct can be reconciled to good policy. Do you expect to make converts by it? Perſecution has the ſame effect in politics, that it has in religion; it confirms the ſectary. Do you wiſh to ſilence them, that the inhabitants of the province may appear unanimous?

nimous? The mal-treatment they received for differing from you, is an undeniable evidence that we are not unanimous. It may not be amiſs to conſider, that this is a changeable world, and time's rolling wheel may, ere long, bring them uppermoſt; in that caſe, I am ſure you would not wiſh to have them fraught with reſentment. It is aſtoniſhing, my friends, that thoſe, who are in purſuit of liberty, ſhould ever ſuffer arbitrary power, in ſuch an hideous form and ſqualid hue, to get a footing among them. I appeal to your good ſenſe; I know you have it, and hope to penetrate to it, before I have finiſhed my publications, notwithſtanding the thick atmoſphere that now invelopes it. But, to return from my digreſſion. The committee of correſpondence repreſented the deſtruction of the tea *in their own way*. They repreſented thoſe that addreſſed Governor Hutchinſon, as perſons of no note or property; as mean, baſe wretches and ſeekers, who had been ſacrificing their country in adulation of him. Whole nations have worſhipped the riſing, but, if this be an inſtance, it is the only inſtance of people's worſhipping the ſetting, ſun. By this means, the humane and benevolent in various parts of the continent, were induced to adviſe us not to comply with the terms for opening our port, and engaged to relieve us with their charities, from the diſtreſs that muſt otherwiſe fall upon the poor. Their charitable intentions may aſcend to heaven, like incenſe from the altar, in ſweet memorial before the throne of God; but their donations came near proving fatal to the province: It encouraged the whigs to perſevere in injuſtice, and has been the means of ſeducing many an honeſt man into the commiſſion of a crime, that he did not ſuſpect himſelf capable of being guilty of. What I have told you, are not the ſuggeſtions of a ſpeculatiſt; there are ſome miſtakes as to numbers, and there may be ſome as to time and place, partly owing to miſcopying, and partly to my not always having the books and papers neceſſary to greater accuracy, at hand; but the relation of facts is in ſubſtance true, I had almoſt ſaid, as holy writ.—I do not aſk you to take the truths of them from an anonymous writer: The evidence of moſt of them is within your reach, examine for yourſelves:—I promiſe, that the benefit you will

will reap therefrom will abundantly pay you for the trouble of the reſearch; you will find, I have faithfully unriddled the whole myſtery of our political iniquity. I do not addreſs myſelf to whigs or tories, but to the *whole people*. I know you well. You are loyal at heart, friends to good order, and do violence to yourſelves in harbouring, one moment, diſreſpectful ſentiments towards Great-Britain, the land of our forefathers' nativity, and ſacred repoſitory of their bones: but you have been moſt inſidiouſly induced to believe, that Great-Britain is rapacious, cruel, and vindictive, and envies us the inheritance purchaſed by the ſweat and blood of our anceſtors. Could that thick miſt that hovers over the land, and involves it in more than Egyptian darkneſs, be but once diſpelled, that you might ſee our ſovereign the provident father of all his people, and Great-Britain a nurſing mother to theſe colonies, as they really are; long live our gracious king, and happineſs to Britain, would reſound from one end of the province to the other.

MASSACHUSETTENSIS.

January 2, 1775.

LETTER V.

To the Inhabitants of the Province of Maſſachuſetts-Bay.

My dear Countrymen.

SOME of you may perhaps ſuſpect that I have been wantonly ſcattering firebrands, arrows and death, to gratify a malicious and revengeful diſpoſition: The truth is this; I had ſeen many excellent detached pieces, but could ſee no pen at work to trace our calamity to its ſource, and point out the many adventitious aids, that conſpired to raiſe it to its preſent height; though I impatiently expected it, being fully convinced that you wait only to know the true ſtate of facts, to rectify whatever is amiſs in the province, without any foreign aſſiſtance. Others may be induced to think, that I grudge the induſtrious poor of Boſton their ſcantlings of charity. I will iſſue a brief in their favour. The opulent, be their political ſentiments what they may, ought to relieve them from their ſufferings,

and

and thoſe who, by former donations, have been the innocent cauſe of protracting their ſufferings, are under a tenfold obligation to aſſiſt them now; and at the ſame time to make the moſt explicit declarations, that they did not intend to promote nor ever will join in rebellion. Great allowances are to be made for the croſſings, windings and tergiverſations of a politician: he is a cunning animal, and as government is ſaid to be founded in opinion, his tricks may be a part of the *arcana imperii*. Had our politicians confined themſelves within any reaſonable bounds, I never ſhould have moleſted them; but when I became ſatisfied, that many innocent, unſuſpecting perſons were in danger of being drenched with blood and carnage, I could reſtrain my emotions no longer; and, having once broke the bands of natural reſerve, was determined to probe the ſore to the bottom, though I was ſure to touch the quick. It is very foreign from my intentions to draw down the vengeance of Great-Britain upon the whigs; they are too valuable a part of the community to loſe, if they will permit themſelves to be ſaved: I wiſh nothing worſe to the higheſt of them, than that they may be deprived of their influence, till ſuch time as they ſhall have changed their ſentiments, principles and meaſures.

Sedition has already been marked through its zigzag path to the preſent times. When the ſtatute for regulating the government arrived, a match was put to the train, and the mine, that had been long forming, ſprung, and threw the whole province into confuſion and anarchy. The occurrences of the ſummer and autumn paſt are ſo recent and notorious, that a particular detail of them is unneceſſary. Suffice it to ſay, that every barrier that civil government had erected for the ſecurity of property, liberty and life, was broken down; and law, conſtitution and government trampled under by the rudeſt invaders. I ſhall not dwell upon theſe harſh notes much longer. I ſhall yet become an advocate for the leading whigs; much muſt be allowed to men in their ſituation, forcibly actuated by the chagrin of diſappointment, the fear of puniſhment, and the faſcination of hope at the ſame time.

Perhaps

Perhaps the whole ſtory of empire does not furniſh another inſtance of a forcible oppoſition to government with ſo much ſpecious and ſo little real cauſe, with ſuch apparent probability without any poſſibility of ſucceſs. The ſtamp-act gave the alarm. The inſtability of the public counſels, from the Grenvillian adminiſtration to the appointment of the earl of Hillſborough to the American department, afforded as great a proſpect of ſucceſs, as the heavy duties, impoſed by the ſtamp-act, did a colour for the oppoſition. It was neceſſary to give the hiſtory of this matter in its courſe, offend who it would, becauſe thoſe acts of government, that are called the greateſt grievances, became proper and neceſſary, through the miſconduct of our politicians; and the juſtice of Great-Britain towards us, could not be made apparent without firſt pointing out that. I intend to conſider the acts of the Britiſh government, which are held up as the principal grievances, and enquire whether Great-Britain is chargeable with injuſtice in any one of them; but muſt firſt aſk your attention to the authority of parliament. I ſuſpect many of our politicians are wrong in their firſt principle, in denying that the conſtitutional authority of parliament extends to the colonies; if ſo, it muſt not be wondered at, that their whole fabric is ſo ruinous: I ſhall not travel through all the arguments that have been adduced, for and againſt this queſtion, but attempt to reduce the ſubſtance of them to a narrow compaſs, after having taken a curſory view of the Britiſh conſtitution.

The ſecurity of the people from internal rapacity and violence, and from foreign invaſion, is the end and deſign of government. The ſimple forms of government are monarchy, ariſtocracy and democracy, that is, where the authority of the ſtate is veſted in *one*, a *few*, or the *many*. Each of theſe ſpecies of government has advantages peculiar to itſelf, and would anſwer the ends of government, were the perſons, intruſted with the authority of the ſtate, always guided themſelves by unerring wiſdom and public virtue; but rulers are not always exempt from the weakneſs and depravity, which make government neceſſary to ſociety.

Thus

Thus monarchy is apt to ruſh headlong into tyranny, ariſtocracy to beget faction and multiplied uſurpation, and democracy to degenerate into tumult, violence and anarchy. A government, formed upon theſe three principles in due proportion, is the beſt calculated to anſwer the ends of government, and to endure. Such a government is the Britiſh conſtitution, conſiſting of King, Lords and Commons, which at once includes the principal excellencies, and excludes the principal defects of the other kinds of government. It is allowed, both by Engliſhmen and foreigners, to be the moſt perfect ſyſtem that the wiſdom of ages has produced. The diſtributions of power are ſo juſt, and the proportions ſo exact, as at once to ſupport and controul each other. An Engliſhman glories in being ſubject to and protected by ſuch a government. The colonies are a part of the Britiſh empire. The beſt writers upon the laws of nations tell us, that when a nation takes poſſeſſion of a diſtant country, and ſettles there, that country, though ſeparated from the principal eſtabliſhment or mother-country, naturally becomes a part of the ſtate, equal with its ancient poſſeſſions. Two ſupreme or independent authorities cannot exiſt in the ſame ſtate. It would be what is called *imperium in imperio*, and the height of political abſurdity. The analogy between the political and human body is great. Two independent authorities in a ſtate would be like two diſtinct principles of volition and action in the human body, diſſenting, oppoſing, and deſtroying each other. If then we are a part of the Britiſh empire, we muſt be ſubject to the ſupreme power of the ſtate, which is veſted in the eſtates of parliament, notwithſtanding each of the colonies have legiſlative and executive powers of their own, delegated or granted to them for the purpoſes of regulating their own internal police, which are ſubordinate, and muſt neceſſarily be ſubject, to the checks, controul and regulation of the ſupreme authority.

This doctrine is not new; but the denial of it is. It is beyond a doubt that it was the ſenſe both of the parent country and our anceſtors, that they were to remain ſubject to parliament; it is evident from the charter itſelf, and this

this authority has been exerciſed by parliament, from time to time, almoſt ever ſince the firſt ſettlement of the country, and has been expreſsly acknowledged by our provincial legiſlatures It is not leſs our intereſt than our duty to continue ſubject to the authority of parliament, which will be more fully conſidered hereafter. The principal argument againſt the authority is this; the Americans are entitled to all the privileges of an engliſhman; it is the privilege of an engliſhman to be exempt from all laws that he does not conſent to in perſon, or by repreſentative; the Americans are not repreſented in parliament, and therefore are exempt from acts of parliament, or, in other words, not ſubject to its authority. This appears ſpecious; but leads to ſuch abſurdities as demonſtrate its fallacy. If the colonies are not ſubject to the authority of parliament, Great-Britain and the colonies muſt be diſtinct ſtates, as completely ſo as England and Scotland were before the union, or as Great-Britain and Hanover are now. The colonies in that caſe will owe no allegiance to the imperial crown, and perhaps not to the perſon of the King; as the title to the crown is derived from an act of parliament, made ſince the ſettlement of this province, which act reſpects the imperial crown only. Let us wave this difficulty, and ſuppoſe allegiance due from the colonies to the perſon of the king of Great Britain; he then appears in a new capacity, as king of America, or rather, in ſeveral new capacities, as king of Maſſachuſetts, king of Rhode-Iſland, king of Connecticut, &c. &c. For, if our connection with Great Britain, by the parliament, be diſſolved, we ſhall have none among ourſelves; but each colony will become as diſtinct from the others, as England was from Scotland before the union. Some have ſuppoſed, that each ſtate having one and the ſame perſon for its king, it is a ſufficient connection: Were he an abſolute monarch, it might be; but, in a mixed government, it is no union at all. For, as the king muſt govern each ſtate by its parliament, thoſe ſeveral parliaments would purſue the particular intereſt of its own ſtate; and however well diſpoſed the king might be to purſue a line of intereſt that was common to all, the checks and controul, that he would meet with, would render it impoſſible. If the king

of Great-Britain has really theſe new capacities, they ought to be added to his titles; and then another difficulty will ariſe, the prerogatives of theſe new crowns have never been defined or limited. Is the monarchical part of the ſeveral provincial conſtitutions to be nearer, or more remote from abſolute monarchy, in an inverted ratio to each one's approaching to, or receding from a republic? But let us ſuppoſe the ſame prerogatives inherent in the ſeveral American crowns, as are in the imperial crown of Great-Britain; where ſhall we find the Britiſh conſtitution, that we all agree we are entitled to? We ſhall ſeek for it in vain in our provincial aſſemblies. They are but faint ſketches of the eſtates of parliament. The houſes of repreſentatives or burgeſſes have not all the powers of the houſe of commons: in the charter governments they have no more than what is expreſsly granted by their ſeveral charters. The firſt charters, granted to this province, did not impower the aſſembly to tax the people at all. Our council-boards are as deſtitute of the conſtitutional authority of the houſe of lords, as their ſeveral members are of the noble independence and ſplendid appendages of peerage. The houſe of peers is the bulwark of the Britiſh conſtitution, and, thro' ſucceſſive ages, has withſtood the ſhocks of monarchy, and the ſappings of democracy, whilſt the conſtitution gained ſtrength by the conflict. Thus, the ſuppoſition of our being independent ſtates, or exempt from the authority of parliament, deſtroys the very idea of our having a Britiſh conſtitution. The provincial conſtitutions, conſidered as ſubordinate, are generally well adapted to thoſe purpoſes of government, for which they were intended, that is, to regulate the internal police of the ſeveral colonies; but, having no principle of ſtability within themſelves, tho' they may ſupport themſelves in moderate times, they would be merged by the violence of turbulent ones. The ſeveral colonies would become wholly monarchical or wholly republican, were it not for the checks, controuls, regulations and ſupports, of the ſupreme authority of the empire. Thus, the argument that is drawn from their firſt principle of our being entitled to Engliſh liberties, deſtroys the principle itſelf; it deprives us of the bill of rights, and all the benefits re-

reſulting from the revolution, of Engliſh laws, and of the Britiſh conſtitution.

Our patriots have been ſo intent upon building up American rights, that they have overlooked the rights of Great Britain, and our own intereſt. Inſtead of proving, that we were entitled to privileges which our fathers knew our ſituation would not admit us to enjoy, they have been arguing away our moſt eſſential rights. If there be any grievance, it does not conſiſt in our being ſubject to the authority of parliament, but in our not having an actual repreſentation in it. Were it poſſible for the colonies to have an equal repreſentation in parliament, and were refuſed it upon proper application, I confeſs, I ſhould think it a grievance: But, at preſent it ſeems to be allowed, by all parties, to be impracticable, conſidering that the colonies are diſtant from Great-Britain a thouſand tranſmarine leagues. If that be the caſe, the right or privilege that we complain of being deprived of, is not withheld by Britain; but the firſt principles of government, and the immutable laws of nature, render it impoſſible for us to enjoy it. This is apparently the meaning of that celebrated paſſage in Governor Hutchinſon's letter, that rang through the continent, viz. There muſt be an abridgement of what is called Engliſh liberties. He ſubjoins, that he had never yet ſeen the projection, whereby a colony, three thouſand miles from the parent-ſtate, might enjoy all the privileges of *that* parent-ſtate and be ſubject to it, or in words to that effect. The obnoxious ſentence, taken detached from the letter, appears very unfriendly to the colonies; but, conſidered in connection with the other parts of the letter, is but a neceſſary reſult from our ſituation. Allegiance and protection are reciprocal. It is our higheſt intereſt to continue a part of the Britiſh empire, and equally our duty to remain ſubject to the authority of parliament. Our own internal police may generally be regulated by our provincial legiſlatures; but, in national concerns, or where our own aſſemblies do not anſwer the ends of government, with reſpect to ourſelves, the ordinances or interpoſition of the great council of the nation is neceſſary. In this caſe,

the major muſt rule the minor. After many more centuries ſhall have rolled away, long after we, who are now buſtling upon the ſtage of life, ſhall have been received to the boſom of mother earth, and our names are forgotten; the colonies may be ſo far encreaſed as to have the balance of wealth, numbers, and power in their favour. The good of the empire may then make it neceſſary to fix the ſeat of government here; and ſome future GEORGE, equally the friend of mankind with him who now ſways the Britiſh ſceptre, may croſs the Atlantic, and rule Great Britain by an American parliament.

MASSACHUSETTENSIS.

January 9, 1775.

LETTER VI.

To the Inhabitants of the Province of Maſſachuſetts-Bay.

HAD a perſon, ſome fifteen years ago, undertaken to prove that the colonies were a part of the Britiſh empire or dominion, and, as ſuch, ſubject to the authority of the Britiſh parliament; he would have acted as ridiculous a part, as to have undertaken to prove a ſelf-evident propoſition: Had any perſon denied it, he would have been called a fool or madman. At this wiſe period, individuals and bodies of men deny it, notwithſtanding in doing it they ſubvert the fundamentals of government, deprive us of Britiſh liberties, and build up abſolute monarchy in the colonies; for our charters ſuppoſe regal authority in the grantor. If that authority be derived from the Britiſh crown, it præ-ſuppoſes this territory to have been a part of the Britiſh dominion, and as ſuch ſubject to the imperial ſovereign. If that authority was veſted in the perſon of the King, in a different capacity; the Britiſh conſtitution and laws are out of the queſtion, and the King muſt be as abſolute to us, as tho' his prerogatives had never been circumſcribed. Such muſt have been the ſovereign authority of the ſeveral Kings, who have granted American charters, previous to the ſeveral grants; there is nothing to detract from it, at this time in thoſe colonies that are deſtitute of charters; and the

the charter governments muſt then ſeverally revert to abſolute monarchy as their charters may happen to be forfeited by the grantees not fulfilling the conditions of them, for every charter contains an expreſs or implied condition.

It is curious indeed to trace the denial and oppugnation to the ſupreme authority of the ſtate. When the ſtamp-act was made, the authority of parliament to impoſe internal taxes was denied, but their right to impoſe external ones, or, in other words, to lay duties upon goods and merchandiſe, was admitted. When the act was made, impoſing duties upon tea, &c. a new diſtinction was ſet up; that the parliament had a right to lay duties upon merchandiſe for the purpoſe of regulating trade, but not for the purpoſe of raiſing a revenue: That is, the parliament had good right and lawful authority to lay the former duty of a ſhilling on the pound, but had none to lay the preſent duty of three pence. Having got thus far ſafe, it was only taking one ſtep more to extricate ourſelves entirely from their fangs, and become independent ſtates; *That* our patriots moſt heroically reſolved upon, and flatly denied that parliament had a right to make any laws whatever, that ſhould be binding upon the colonies. There is no poſſible medium between abſolute independence and ſubjection to the authority of parliament. He muſt be blind indeed that cannot ſee our deareſt intereſt in the latter, notwithſtanding many pant after the former: miſguided men! could they once overtake their wiſh, they would be convinced of the madneſs of the purſuit.

My dear countrymen, it is of the laſt importance that we ſettle this point clearly in our minds; it will ſerve as a ſure teſt, certain criterion, and invariable ſtandard, to diſtinguiſh the friends from the enemies of our country, patriotiſm from ſedition, loyalty from rebellion. To deny the ſupreme authority of the ſtate is a high miſdemeanor, to ſay no worſe of it; to oppoſe it by force is an overt act of treaſon, puniſhable by confiſcation of eſtate and a moſt ignominious death. The realm of England is an appropriate term for the ancient realm of England, in contradiſtinction to Wales and other territories that have been

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annexed to it. Theſe, as they have been ſeverally annexed to the crown, whether by conqueſt or otherwiſe, became a part of the empire, and ſubject to the authority of parliament, whether they ſend members to parliament or not, and whether they have legiſlative powers of their own or not.

Thus Ireland, which has perhaps the greateſt poſſible ſubordinate legiſlature, and ſends no members to the Britiſh parliament, is bound by its acts, when expreſsly named. Guernſey and Jerſey are no part of the realm of England, nor are they repreſented in parliament, but are ſubject to its authority: And, in the ſame predicament are the American colonies, and all the other diſperſions of the empire. Permit me to requeſt your attention to this ſubject a little longer: I aſſure you it is as intereſting and important, as it is dry and unentertaining.

Let us now recur to the firſt charter of this province, and we ſhall find irreſiſtable evidence, that our being part of the empire, ſubject to the ſupreme authority of the ſtate, bound by its laws and entitled to its protection, were the terms and conditions by which our anceſtors held their lands and ſettled the province. Our charter, like all other American charters, is under the great ſeal of England; the grants are made by the King, for his heirs and *ſucceſſors*, the ſeveral tenures to be of the King, his heirs and *ſucceſſors:* in like manner are the reſervations. It is apparent, the King acted in his royal capacity, as King of England, which neceſſarily ſuppoſes the territory granted, to be a part of the Engliſh dominions, holden of the crown of England.

The charter, after reciting ſeveral grants of the territory to Sir Henry Roſwell and others, proceeds to incorporation in theſe words: 'And for as much as the good and proſ-'perous ſucceſs of the plantations of the ſaid parts of New-'England aforeſaid intended by the ſaid Sir Henry Roſwell 'and others, to be ſpeedily ſet upon, cannot but chiefly 'depend, next under the bleſſing of almighty God and the 'ſupport of our royal authority, upon the good govern-'ment of the ſame, to the end that the *affairs of buſineſs*, 'which

'which from time to time ſhall happen and ariſe concern-
'ing the ſaid lands and the plantations of the ſame may be
'the better managed and ordered, we have further hereby,
'of our ſpecial grace, certain knowledge and meer motion,
'given, granted and confirmed, and for us, our heirs and
'ſucceſſors, do give, grant and confirm unto our ſaid truſty
'and well beloved ſubjects, Sir Henry Roſwell, &c. and
'all ſuch others as ſhall hereafter be admitted and made
'free of *the company and ſociety hereafter mentioned*, ſhall
'from time to time and at all times, forever hereafter, be,
'by virtue of theſe preſents, *one body corporate, politic in
'fact and name, by the name of the Governor and company
'of the Maſſachuſetts-Bay, in New-England*; and them
'by the name of the Governor and company of the Maſ-
'ſachuſetts-Bay, in New-England, one body politic and
'corporate in deed, fact and name. We do for us, our
'heirs and ſucceſſors make, ordain, conſtitute and confirm
'by theſe preſents, and that by that name they ſhall have
'perpetual ſucceſſion, and that by that name they and their
'ſucceſſors ſhall be capable and enabled as well *to implead
'and to be impleaded, and to proſecute, demand and anſwer and
'be anſwered unto all and ſingular ſuits, cauſes, quarrels and
'actions of what kind or nature ſoever*; *and alſo to have, take,
'poſſeſs, acquire and purchaſe, any lands, tenements and he-
'reditaments, or any goods or chattles, the ſame to leaſe, grant,
'demiſe, aliene, bargain, ſell and diſpoſe of, as our liege people
'of this our realm of England, or any other corporation or body
'politic of the ſame, may do.*' I would beg leave to aſk one ſimple queſtion, whether this looks like a diſtinct ſtate or independent empire. Proviſion is then made for electing a governor, deputy governor and eighteen aſſiſtants. After which is this clauſe: 'We do for us, our heirs and ſucceſ-
'ſors, give and grant to the ſaid governor and company
'and their ſucceſſors, that the governor, or in his abſence
'the deputy-governor, of the ſaid company for the time
'being, and ſuch of the aſſiſtants or freemen of the ſaid
'company as ſhall be preſent, or the greater number of
'them ſo aſſembled, whereof the governor or deputy-
'governor and ſix of the aſſiſtants, at the leaſt to be ſeven,

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'shall have full power and authority to choose, nominate 'and appoint such and so many others, as they shall think 'fit, and shall be willing to accept the same to be free of 'the said company and body, and them into the same to 'admit and to elect and constitute such officers as they 'shall think fit and requisite for the ordering, managing 'and dispatching of the affairs of the said governor and 'company and their successors, and to make *laws and or-* 'dinances for the good and welfare of the said company, and 'for the government and ordering of the said lands and 'plantations and the people inhabiting and to inhabit the 'same, as to them from time to time shall be thought 'meet: *So as such laws and ordinances be not contrary or re-* 'pugnant to the laws and statutes of this our realm of England.'

Another clause is this; 'And for their further encou- 'ragement, of our especial grace and favour, we do by 'these presents, for us, our heirs, and successors, yield 'and grant to the said governor and company and their 'successors, and every one of them, their factors and as- 'signs, that they and every of them shall be free and quit 'from all taxes, subsidies and customs in New-England 'for the space of seven years, and from all taxes and im- 'positions for the space of twenty-one years, upon all goods 'and merchandize, at any time or times hereafter, either 'upon importation thither, or exportation from thence into 'our realm of England, or into other of our dominions, 'by the said governor and company and their successors, 'their deputies, factors and assigns, &c.'

The exemption from taxes for seven years in one case, and twenty one years in the other, plainly indicates that, *after their expiration*, this province would be liable to taxation. Now I would ask, by what authority those taxes were to be imposed? It could not be by the governor and company, for no such power was delegated or granted to them; and besides it would have been absurd and nugatory to exempt them from their own taxation, supposing them to have had the power, for they might have exempted themselves.—It must therefore be by the King or parliament; it could not be by the *King alone*, for as King of Eng-

England, the political capacity in which he granted the charter, he had no ſuch power, excluſive of the lords and commons, conſequently it muſt have been by the parliament. This clauſe in the charter is as evident a recognition of the authority of the parliament over this province, as if the words, " acts of parliament, " had been inſerted, as they were in the Pennſylvania charter. There was no ſeſſion of parliament after the grant of our charter until the year 1640.—In 1642 the houſe of commons paſſed a reſolve, 'that, for the better advancement of the plantations 'in New-England, and the encouragement of the planters 'to proceed in their undertaking, their exports and im-'ports ſhould be freed and diſcharged from all cuſtoms, 'ſubſidies, taxations and duties, until the further order of 'the houſe.' Which was gratefully received and recorded in the archives of our predeceſſors.—This tranſaction ſhews very clearly in what ſenſe our connection with England was then underſtood. It is true that, in ſome arbitrary reigns, attempts were made by the ſervants of the crown to exclude the two houſes of parliament, from any ſhare of the authority over the colonies; they alſo attempted to render the King abſolute in England: but the parliament always reſcued the colonies, as well as England, from ſuch attempts.

I ſhall recite but one more clauſe of this charter, which is this, 'And further our will and pleaſure is, and we do 'hereby for us, our heirs and ſucceſſors, ordain, declare 'and grant to the ſaid governor and company, and their 'ſucceſſors, that all and every of the ſubjects of us, our 'heirs and ſucceſſors, which ſhall go to and inhabit within 'the ſaid land and premiſes hereby mentioned to be grant-'ed, and every of their children, which ſhall happen to be 'born there, or on the ſeas in going thither, or returning 'from thence, ſhall have and enjoy *all liberties and immuni-'ties of free and natural ſubjects, within any of the dominions* 'of us, our heirs or ſucceſſors, to all intents, conſtructions 'and purpoſes whatſoever, as if they and every of them 'were born within the realm of England.' It is upon this or a ſimilar clauſe in the charter of William and

Mary, that our patriots have built up the ſtupendous fabric of American independence. They argue from it a total exemption from parliamentary authority, becauſe we are not repreſented in parliament.

I have already ſhewn, that the ſuppoſition of our being exempt from the authority of parliament, is pregnant with the groſſeſt abſurdities. Let us now conſider this clauſe in connection with the other parts of the charter. It is a rule of law, founded in reaſon and common ſenſe, to conſtrue each part of an inſtrument, ſo as the whole may hang together, and be conſiſtent with itſelf. If we ſuppoſe this clauſe to exempt us from the authority of parliament, we muſt throw away all the reſt of the charter; for every other part indicates the contrary, as plainly as words can do it, and, what is ſtill worſe, this clauſe becomes *felo de ſe*, and deſtroys itſelf; for if we are not annexed to the crown, we are aliens, and no charter, grant or other act of the crown, can naturalize us or entitle us to the liberties and immunities of Engliſhmen. It can be done only by act of parliament. An alien is one born in a ſtrange country, out of the allegiance of the King, and is under many diſabilities though reſiding in the realm. As Wales, Jerſey, Guernſey, Ireland, the foreign plantations, &c. were ſeverally annexed to the crown, they became parts of one and the ſame empire, the natives of which are equally free as though they had been born in that territory, which was the antient realm. As our patriots depend upon this clauſe, detached from the charter, let us view it in that light. If a perſon, born in England, remove to Ireland, and ſettle there, he is then no longer repreſented in the Britiſh parliament; but he and his poſterity are and will ever be ſubject to the authority of the Britiſh parliament: If he remove to Jerſey, Guernſey, or any other parts of the Britiſh dominions that ſend no members to parliament, he will ſtill be in the ſame predicament. So that the inhabitants of the American colonies do in fact enjoy all the liberties and immunities of natural-born ſubjects. We are entitled to no greater privileges than thoſe, that are born within the realm; and they can enjoy no other than

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we do, when they reſide out of it. Thus, it is evident, that this clauſe amounts to no more than the royal aſſurance, that we are a part of the Britiſh empire, are not aliens, but natural-born ſubjects, and, as ſuch, bound to obey the ſupreme power of the ſtate, and entitled to protection from it. To avoid prolixity, I ſhall not remark particularly upon other parts of this charter, but obſerve in general, that whoever reads it with attention will meet with irreſiſtable evidence in every part of it, that our being a part of the Engliſh dominions, ſubject to the Engliſh crown, and within the juriſdiction of parliament, were the terms upon which our anceſtors ſettled this colony, and the very tenures by which they held their eſtates.

No lands within the Britiſh dominions are perfectly allodial; they are held mediately or immediately of the King, and, upon forfeiture, revert to the crown. My dear countrymen, you have many of you been moſt falſly and wickedly told, by our patriots, that Great-Britain was meditating a land tax, and ſeeking to deprive us of our inheritance; but had all the malice and ſubtilty of men and devils been united, a readier method to effect it could not have been deviſed, than the late denials of the authority of parliament, and forcible oppoſitions to its acts: Yet, this has been planned and executed chiefly by perſons of *deſperate* fortunes.

MASSACHUSETTENSIS.

January 16, 1775.

LETTER VII.

To the Inhabitants of the Province of Maſſachuſetts Bay.

IF we carry our reſearches further back than the emigration of our anceſtors, we ſhall find many things that reflect light upon the object we are in queſt of. It is immaterial when America was firſt diſcovered or taken poſſeſſion of by the Engliſh. In 1602 one *Goſnold* landed upon one of the iſlands, called Elizabeth-iſlands, which were ſo named in honor of Queen Elizabeth, built a fort and projected a ſettlement; but his men were diſcouraged,

and the project failed. In 1606 King James granted all the continent from 34 to 45 degrees, which he divided into two colonies, viz. the ſouthern or Virginia, to certain merchants at London; the northern or New-England, to certain merchants at Plymouth in England. In 1607 ſome of the patentees of the northern colony began a ſettlement at Sagadahoc, but the emigrants were diſheartened after the trial of one winter, and that attempt failed of ſucceſs. Thus this territory had not only been granted by the crown for purpoſes of colonization, which are to enlarge the empire or dominion of the parent ſtate, and to open new ſources of national wealth; but actual poſſeſſion had been taken by the grantees, previous to the emigration of our anceſtors, or any grant to them. In 1620 a patent was granted to the adventurers for the northern colony, incorporating them by the name of *the council for the affairs of New-Plymouth.* From this company of merchants in England, our anceſtors derived their title to this territory. The tract of land called Maſſachuſetts was purchaſed of this company by Sir Henry Roſwell and aſſociates: their deed bears date, March 19th, 1627. In 1628 they obtained a charter of incorporation, which I have already remarked upon. The liberties, privileges and franchiſes, granted by this charter, do not, perhaps, exceed thoſe granted to the city of London and other corporations within the realm. The legiſlative power was very confined; it did not even extend to levying taxes of any kind: that power was, however, aſſumed under this charter, which by law worked a forfeiture, and for this among other things, in the reign of Charles the Second, the charter was adjudged forfeited, and the franchiſes ſeized into the King's hands. This judgment did not affect our anceſtors' title to their lands, which were not derived originally from the charter, though confirmed by it, but by purchaſe from the council at Plymouth, who held immediately under the crown. Beſides, our anceſtors had now reduced what before was a naked right to poſſeſſion, and by perſevering through unequalled toils, hardſhips and dangers, at the approach of which other emigrants had

had fainted, rendered New-England a very valuable acquiſition both to the crown and nation. This was highly meritorious, and ought not to be overlooked in adjuſting the preſent unhappy diſpute; but our patriots would deprive us of all the merit, both to the crown and nation, by *ſevering us from* BOTH. After the revolution, our anceſtors petitioned the parliament to reſtore the charter. A bill for that purpoſe paſſed the houſe of commons, but went no further. In conſequence of another petition, King William and Queen Mary granted our preſent charter for uniting and incorporating the Maſſachuſetts, New-Plymouth, and ſeveral other territories into one province. More extenſive powers of legiſlation, than thoſe contained in the firſt charter, were become neceſſary, and were granted. And the form of the legiſlature was made to approach nearer to the form of the ſupreme legiſlature. The powers of legiſlation are confined to local or provincial purpoſes, and further reſtricted by theſe words, viz. *So as the ſame be not repugnant or contrary to the laws of this our realm of England.* Our patriots have made many nice diſtinctions and curious refinements to evade the force of theſe words; but, after all, it is impoſſible to reconcile them to the idea of an independent ſtate, as it is to reconcile diſability to omnipotence. The provincial power of taxation is alſo reſtricted to provincial purpoſes, and allowed to be exerciſed over ſuch only, as are inhabitants or proprietors within the province. I would obſerve here, that the granting *ſubordinate* powers of legiſlation, does not abridge or diminiſh the powers of the *higher* legiſlatures: thus we ſee corporations in England and the ſeveral towns in this province veſted with greater or leſſer powers of legiſlation, without the parliament, in one caſe, or the general court in the other; being reſtrained from enacting thoſe very laws, that fall within the juriſdiction of the ſeveral corporations. Had our preſent charter been conceived in ſuch equivocal terms, as that it might be conſtrued as reſtraining the authority of parliament; the uniform

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uſage, ever ſince it paſſed the ſeal, would ſatisfy us that its intent was different. The parliament in the reign when it was granted, long before and in every reign ſince, has been making ſtatutes to extend to the colonies; and thoſe ſtatutes have been as uniformly ſubmitted to, as authoritative, by the colonies, till within ten or a dozen years. Sometimes acts of parliament have been made, and ſometimes have been repealed, in conſequence of petitions from the colonies. The provincial aſſemblies often refer to acts of parliament in their own, and have ſometimes made acts to aid their execution. It is evident that it was the intention of their Majeſties to grant ſubordinate powers of legiſlation, without impairing or diminiſhing the authority of the ſupreme legiſlature. Had there been any words in the charter, which precluded that conſtruction, or did the whole taken together contradict it; lawyers would tell us, that the King was deceived in his grant, and the patentees took no eſtate by it, becauſe the crown can neither alienate a part of the Britiſh dominions, nor impair the ſupreme power of the empire. I have dwelt longer on this ſubject than I at firſt intended, and not by any means done it juſtice; as, to avoid prolix narratives and tedious deduction, I have omitted perhaps more than I have adduced, in order to evince the truth of the poſition, that we are a part of the Britiſh dominions, and ſubject to the authority of parliament. The novelty of the contrary tenets will appear, by extracting a part of a pamphlet, publiſhed in 1764, by a Boſton gentleman, who was then the oracle of the whigs, and whoſe profound knowledge in the law and conſtitution is equalled but by few.

'I alſo lay it down (ſays he) as one of the firſt principles 'from whence I intend to deduce the civil rights of the Britiſh 'colonies, that all of them are ſubject to, and dependent on 'Great-Britain; and that therefore, as over ſubordinate 'governments, the parliament has an undoubted power and 'lawful authority to make acts for the general good, that, by 'naming them, ſhall and ought to be equally binding, as 'upon the ſubjects of Great-Britain within the realm. Is 'there the leaſt difference, as to the conſent of the coloniſts,

'whether

'whether taxes and impoſitions are laid on their trade, and 'other property by the crown alone, or by the parliament? 'As it is agreed on all hands, the crown alone cannot im-'poſe them, we ſhould be juſtifiable in refuſing to pay 'them; *but we muſt and ought to yield obedience to an act of 'parliament, though erroneous, till repealed.*

'It is a maxim, that the King can do no wrong; and 'every good ſubject is bound to believe his King is not 'inclined to do any. We are bleſſed with a prince who 'has given abundant demonſtrations, that, in all his actions, 'he ſtudies the good of his people, and the true glory of 'his crown, which are inſeparable. It would therefore be 'the higheſt degree of impudence and diſloyalty, to imagine 'that the King, at the head of his parliament, could have 'any but the moſt pure and perfect intentions of juſtice, 'goodneſs and truth, that human nature is capable of. 'All this I ſay and believe of the King and parliament, in 'all their acts; even in that which ſo nearly affects the 'intereſts of the coloniſts; and that a moſt perfect and 'ready obedience is to be yielded to it while it remains in 'force. The power of parliament is uncontrolable but 'by themſelves, and we muſt obey. They only can re-'peal their own acts. There would be an end of all go-'vernment, if one or a number of ſubjects, or ſubordinate 'provinces, ſhould take upon them ſo far to judge of the 'juſtice of an act of parliament, as to refuſe obedience to 'it. If there was nothing elſe to reſtrain ſuch a ſtep, pru-'dence ought to do it; for forcibly reſiſting the parliament 'and the King's laws is high-treaſon. Therefore let the 'parliament lay what burdens they pleaſe on us, we muſt, 'it is our duty, to ſubmit and patiently bear them, till they 'will be pleaſed to relieve us.'

The Pennſylvania Farmer, who took the lead in explaining away the right of parliament to raiſe a revenue in America, ſpeaking of regulating trade, tells us, that 'He 'who conſiders theſe provinces as *ſtates diſtinct from the 'Britiſh empire* has very ſlender notions of *juſtice* or of *their 'intereſt*; we are but *parts of a whole*, and therefore there 'muſt exiſt a power ſomewhere to *preſide and preſerve the*

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'*connection in due order*. This power is lodged in parlia-
'ment; and we are as much *dependent on Great-Britain* as
'a *perfectly free people could be on another*.' He ſuppoſes that we are dependent in ſome conſiderable degree upon Great-Britain; and that ſuch dependance is nevertheleſs conſiſtent with perfect freedom.

Having ſettled this point, let us reflect upon the reſolves and proceedings of our patriots. We often read reſolves denying the authority of parliament, which is the imperial authority, gilded over with profeſſions of loyalty to the King, but the golden leaf is too thin to conceal the treaſon: It either argues profound ignorance or hypocritical cunning.

We find many unſuſpecting perſons prevailed on openly to oppoſe the execution of acts of parliament with force and arms. My friends! ſome of the perſons, that beguiled you, could have turned to the chapter, page and ſection, where ſuch inſurrections are pronounced rebellions, by the law of the land; and had not their hearts been dead to a ſenſe of juſtice, and ſteeled againſt every feeling of humanity, they would have timely warned you of your danger. Our patriots have ſent us in purſuit of a mere *ignis fatuus*, a faſcinating glare devoid of ſubſtance; and now, when we find ourſelves bewildered, with ſcarce one ray of hope to raiſe our ſinking ſpirits, or ſtay our fainting ſouls, they conjure up phantoms more deluſive and fleeting, if poſſible, than that which firſt led us aſtray. They tell us, we are a *match* for Great-Britain.—The twentieth part of the ſtrength that Great-Britain could exert, were it neceſſary, is more than ſufficient to cruſh this defenceleſs province to atoms, notwithſtanding all the vapouring of the diſaffected here and elſewhere. They tell us the army is diſaffected to the ſervice: What pains have our politicians not taken to attach them to the ſervice? The officers conceive no very favourable opinion of the cauſe of the whigs, from the obloquy with which their General hath been treated, in return for his humanity; nor from the infamous attempts to ſeduce the ſoldiers from his Majeſty's ſervice. The policy of ſome of our patriots has been as weak and contemptible, as their

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motives are ſordid and malevolent; for when they found their ſucceſs in corrupting the ſoldiery did not anſwer their expectations, they took pains to attach them the firmer to the cauſe they adhered to, by preventing the erecting of barracks for their winter quarters; by which means many contracted diſeaſes, and ſome lives were loſt, from the unwholeſome buildings they were obliged to occupy. And, as though ſome ſtimulus was ſtill wanting, ſome provocation to prevent human nature revolting in the hour of battle, they deprived the ſoldiers of a gratification never denied to the brute creation,—ſtraw to lay on. I do not mention this conduct to raiſe the reſentment of the troops; it has had its effect already, and it is proper you ſhould know it; nor ſhould I have blotted paper in relating facts ſo mortifying to the pride of man, had it not been baſely ſuggeſted, that there would be a defection ſhould the army take the field. Thoſe are matters of ſmall moment compared to another, which is *the cauſe* they are engaged in. It is no longer a ſtruggle between whigs and tories, whether theſe or thoſe ſhall occupy poſts of honor, or enjoy the emoluments of office; nor is it now whether this or the other act of parliament ſhall be repealed. The army is ſent here to decide a queſtion, intimately connected with the honor and intereſt of the nation; no leſs than whether the colonies ſhall continue a part of, or be for ever diſmembered from, the Britiſh empire. It is a cauſe in which no honeſt American can wiſh our politicians ſucceſs, though it is devoutly to be wiſhed, that their diſcomfiture may be effected without recourſe being had to the *ultima ratio*,—the ſword. This our wretched ſituation is but the natural conſequence of denying the authority of parliament and forcibly oppoſing its acts.

Sometimes we are amuſed with intimations, that Holland, France, or Spain, will make a diverſion in our favour.—Theſe, equally with the others, are ſuggeſtions of deſpair. Theſe powers have colonies of their own, and might not chooſe to ſet a bad example, by encouraging the colonies of any other ſtate to revolt. The Dutch have too much money in the Engliſh funds, and are too much attached to

their money, to eſpouſe our quarrel. The French and Spaniards have not yet forgot the drubbing they received from Great-Britain laſt war; and all three fear to offend that power, which our politicians would perſuade us to deſpiſe.

Laſtly, they tell us, that the people in England will take our part, and prevent matters from coming to extremity. This is their fort, where, when driven from every other poſt, they fly for refuge.

Alas! my friends, our congreſſes have ſtopped up every avenue that leads to that ſanctuary. We hear, by every arrival from England, that it is no longer a miniſterial (if it ever was) but a national cauſe. My dear countrymen, I deal plainly with you; I never ſhould forgive myſelf if I did not. Are there not eleven regiments in Boſton? A reſpectable fleet in the harbour? Men of war ſtationed at every conſiderable port along the continent? Are there not three ſhips of the line ſent here, notwithſtanding the danger of the winter coaſt, with more than the uſual compliment of marines? Have not our congreſſes, county, provincial and continental, inſtead of making advances for an accommodation, bid defiance to Great-Britain?—*He that runs may read.*

If our politicians will not be perſuaded from running againſt the thick boſſes of the buckler, it is time for us to leave them to their fate, and provide for the ſafety of ourſelves, our wives, our children, our friends, and our country.

I have many things to add, but muſt now take my leave, for this week, by ſubmitting to your judgment, whether there be not an abſolute neceſſity of immediately proteſting againſt all traiterous reſolves, leagues and aſſociations, of bodies of men, that appear to have acted in a repreſentative capacity. Had our congreſſes been accidental or ſpontaneous meetings, the whole might have reſted upon the individuals that compoſed them; but as they appear in the character of the peoples delegates, is there not the utmoſt danger of the innocent being confounded with the guilty, unleſs they take timely care to diſtinguiſh themſelves?

MASSACHUSETTENSIS.

January 23, 1775.

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LETTER VIII.

To the Inhabitants of the Province of Maſſachuſetts-Bay.

AS the oppugnation to the King in parliament tends manifeſtly to independence, and the colonies would ſoon arrive at that point, did not Great-Britain check them in their career; let us indulge the idea, however extravagant and romantic, and ſuppoſe ourſelves for ever ſeparated from the parent-ſtate. Let us ſuppoſe Great-Britain ſinking under the violence of the ſhock, and overwhelmed by her antient hereditary enemies; or, what is more probable, opening new ſources of national wealth, to ſupply the deficiency of that which uſed to flow to her through American channels, and perhaps planting more loyal colonies in the new diſcovered regions of the ſouth, ſtill retaining her præ-eminence among the nations, though regardleſs of America.

Let us now advert to our own ſituation. Deſtitute of Britiſh protection, that impervious barrier, behind which, in perfect ſecurity, we have increaſed to a degree almoſt exceeding the bounds of probability; what other Britain could we look to, when in diſtreſs?—What ſuccedaneum does the world afford, to make good the loſs? Would not our trade, navigation and fiſhery, which no nation dares violate or invade, while diſtinguiſhed by Britiſh colours, become the ſport and prey of the maritime powers of Europe? Would not our maritime towns be expoſed to the pillaging of every piratical enterprize? Are the colonies able to maintain a fleet, ſufficient to afford one idea of ſecurity to ſuch an extenſive ſea-coaſt? Before they can defend themſelves againſt foreign invaſions, they muſt unite into one empire; otherwiſe the jarring intereſts, and oppoſite propenſities, would render the many headed monſter in politics unweildy and inactive. Neither the *form* or *ſeat* of government would be readily agreed upon; more difficult ſtill would it be to fix upon the *perſon* or *perſons*, to be inveſted with the imperial authority. There is perhaps as great a diverſity between the tempers and habits of the inhabitants of this province, and the tempers and ha-

bits of the Carolinians, as there ſubſiſt between ſome different nations: nor need we travel ſo far; the Rhode-Iſlanders are as unlike the people of Connecticut, as thoſe mentioned before. Moſt of the colonies are rivals to each other in trade. Between others there ſubſiſt deep animoſities, reſpecting their boundaries, which have heretofore produced violent altercations; and the ſword of civil war has been more than once unſheathed, without bringing theſe diſputes to a deciſion. It is apparent, that ſo many diſcordant heterogeneous particles could not ſuddenly unite and conſolidate into one body: It is moſt probable, that, if they were ever united, the union would be effected by ſome aſpiring genius, putting himſelf at the head of the coloniſts army (for we muſt ſuppoſe a very reſpectable one indeed before we are ſevered from Britain), who, taking advantage of the enfeebled, bleeding and diſtracted ſtate of the colonies, would ſubjugate the whole to the yoke of deſpotiſm. Human nature is every where the ſame; and this has often been the iſſue of thoſe rebellions that the rightful prince was unable to ſubdue. We need not travel through the ſtates of antient Greece and Rome, or the more modern ones in Europe, to pick up the inſtances, with which the way is ſtrewed; we have a notable one in our own. So odious and arbitrary was the protectorate of *Cromwell*, that when death had delivered them from the dread of the tyrant, all parties conſpired to reſtore monarchy, and each one ſtrove to be the foremoſt in inviting home and placing upon the imperial throne, their exiled prince, the ſon of the ſame Charles, who, not many years before, had been murdered on a ſcaffold. The republicans themſelves now ruſhed to the oppoſite extreme; and had Charles the ſecond been as induſtrious, as ſome of his predeceſſors were, he might have eſtabliſhed in England a power more arbitrary than the firſt Charles ever had in contemplation.

Let us now ſuppoſe the colonies united and moulded into ſome form of government. Think one moment of the revenue neceſſary both to ſupport this government and to provide for even the appearance of defence. Conceive yourſelves in a manner exhauſted by the conflict with

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Great-Britain, now ſtaggering and ſinking under the load of your own taxes, and the weight of your own government. Conſider further, that to render government operative and ſalutary, *ſubordination* is neceſſary. This our patriots need not be told of; and when once they had mounted the ſteed, and found themſelves ſo well ſeated as to run no riſk of being thrown from the ſaddle, the ſeverity of their diſcipline to reſtore ſubordination, would be in proportion to their former treachery in deſtroying it. We have already ſeen ſpecimens of their tyranny, in their inhuman treatment of perſons guilty of no crime, except that of differing in ſentiment from themſelves. What then muſt we expect from ſuch ſcourges of mankind, when ſupported by imperial power?

To elude the difficulty, reſulting from our defenceleſs ſituation, we are told, that the colonies would open a free trade with all the world, and all nations would join in protecting their common mart. A very little reflection will convince us that this is chimerical. American trade, however beneficial to Great-Britain, while ſhe can command it, would be but as a drop of the bucket, or the light duſt of the balance, to all the commercial ſtates of Europe. Beſides, were Britiſh fleets and armies no longer deſtined to our protection, in a very ſhort time France and Spain would recover poſſeſſion of thoſe territories, that were torn, reluctant and bleeding from them, in the laſt war, by the ſuperior ſtrength of Britain. Our enemies would again extend their line of fortification, from the northern to the ſouthern ſhore, and by means of our late ſettlements ſtretching themſelves to the confines of Canada, and the communication opened from one country to the other, we ſhould be expoſed to perpetual incurſions from Canadians and ſavages; but our diſtreſs would not end here, for when once theſe incurſions ſhould be ſupported by the formidable armaments of France and Spain, the whole continent would become their eaſy prey, and would be parcelled out, Poland like. Recollect the conſternation we were thrown into laſt war, when Fort-William Henry was taken by the French: It was apprehended that all

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New-England would be over-run by their conquering arms. It was even propoſed, for our own people to burn and lay waſte all the country weſt of Connecticut river, to impede the enemies march, and prevent their ravaging the country eaſt of it. This propoſal came from no inconſiderable man. Conſider what muſt *really* have been our fate, unaided by Britain laſt war.

Great-Britain aſide, what earthly power could ſtretch out the compaſſionate arm to ſhield us from thoſe powers, that have long beheld us with the ſharp, piercing eyes of avidity, and have heretofore bled freely and expended their millions to obtain us? Do you ſuppoſe their luſt of empire is ſatiated? Or do you ſuppoſe they would ſcorn to obtain ſo glorious a prize by an eaſy conqueſt? Or can any be ſo viſionary or impious as to believe that the Father of the univerſe will work miracles in favour of rebellion, and, after having by ſome unſeen arm and mighty power deſtroyed Great-Britain for us, will in the ſame myſterious way defend us againſt other European powers? Sometimes we are told, that the colonies may put themſelves under the protection of ſome one foreign ſtate; but it ought to be conſidered that, to do that, we muſt throw ourſelves into their power. We can make them no return for protection but by trade, and of that they can have no aſſurance, *unleſs we become ſubject to their laws*; this is evident by our contention with Britain.

Which ſtate would you prefer being annexed to, France, Spain, or Holland? I ſuppoſe the latter, as it is a republic: but are you ſure, that the other powers of Europe would be idle ſpectators, content to ſuffer the Dutch to engroſs the American colonies or their trade? And what figure would the Dutch probably make in the unequal conteſt? Their ſword has been long ſince ſheathed in commerce. Thoſe of you that have viſited Surinam, and ſeen a Dutch governor diſpenſing at diſcretion his own opinions for law, would not ſuddenly exchange the Engliſh for Dutch government.

I will ſubjoin ſome obſervations from the Farmer's letters: 'When the appeal is made to the ſword, highly pro-

'probable it is, that the puniſhment will exceed the offence, 'and the calamities attending on war out-weigh thoſe 'preceding it. Theſe conſiderations of juſtice and pru-'dence, will always have great influence with good and 'wiſe men. To theſe reflections it remains to be added, 'and ought for ever to be remembered, that reſiſtance, in 'the caſe of the colonies againſt their mother-country, is 'extremely different from the reſiſtance of a people againſt 'their Prince: A nation may change their King or race of 'Kings, and, retaining their ancient form of government, be 'gainers by changing. Thus Great-Britain, under the il-'luſtrious houſe of Brunſwick, a houſe that ſeems to 'flouriſh for the happineſs of mankind, has found a feli-'city unknown in the reigns of the Stuarts. But if once 'we are ſeparated from our mother-country, what new 'form of government ſhall we adopt, or where ſhall we 'find another Britain to ſupply our loſs? Torn from the 'body to which we are united by religion, laws, affection, 'relation, language and commerce, we muſt bleed at every 'vein. IN TRUTH, THE PROSPERITY OF THESE PROVINCES 'IS FOUNDED IN THEIR DEPENDANCE ON GREAT-BRITAIN.'

MASSACHUSETTENSIS.

January 30, 1775.

LETTER IX.

To the Inhabitants of the Province of Maſſachuſetts-Bay.

WHEN we reflect upon the conſtitutional connection between Great-Britain and the colonies, view the reciprocation of intereſt, conſider that the welfare of Britain in ſome meaſure, and the proſperity of America wholly, depends upon that connection; it is aſtoniſhing, indeed almoſt incredible, that one perſon ſhould be found on either ſide of the Atlantic, ſo baſe and deſtitute of every ſentiment of juſtice, as to attempt to deſtroy or weaken it. If there are none ſuch, in the name of Almighty God, let me aſk; wherefore is rebellion, that implacable fiend to ſociety, ſuffered to rear its ghaſtly front among us, blaſting with haggard look each ſocial joy, and embittering every hour? Re-

Rebellion is the moſt atrocious offence that can be perpetrated by man, ſave thoſe which are committed more immediately againſt the ſupreme Governor of the univerſe, who is the avenger of his own cauſe. It diſſolves the ſocial band, annihilates the ſecurity reſulting from law and government, introduces fraud, violence, rapine, murder, ſacrilege, and the long train of evils that riot uncontrouled in a ſtate of nature. Allegiance and protection are reciprocal. The ſubject is bound by the compact to yield obedience to government, and in return is entitled to protection from it. Thus the poor are protected againſt the rich, the weak againſt the ſtrong, the individual againſt the many; and this protection is guaranteed to each member, by the whole community: but when government is laid proſtrate, a ſtate of war of all againſt all commences; might overcomes right; innocence itſelf has no ſecurity, unleſs the individual ſequeſters himſelf from his fellowmen, inhabits his own cave, and ſeeks his own prey. This is what is called *a ſtate of nature*. I once thought it chimerical.

The puniſhment, inflicted upon rebels and traitors in all ſtates, bears ſome proportion to the aggravated crime. By our law the puniſhment is, 'That the offender be drawn 'to the gallows, and not be carried or walk; that he be 'hanged by the neck, and then cut down alive, that his 'entrails be taken out and burned while he is yet alive, 'that his head be cut off, that his body be divided into 'four parts, that his head and quarters be at the King's 'diſpoſal.' The conſequences of attainder are forfeiture and corruption of blood.

'Forfeiture is twofold, of *real* and of *perſonal* eſtate; by 'attainder in high treaſon a man forfeits to the King all his 'lands and tenements of inheritance, whether fee ſimple 'or fee tail, and all his rights of entry on lands and tene-'ments, which he had at the time of the offence committed, 'or at any time afterwards, to be for ever veſted in the 'crown. The forfeiture relates back to the time of the 'treaſon being committed, ſo as to avoid all intermediate 'ſales and incumbrances; even the dower of the wife is for-

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'feited. The natural juſtice of forfeiture or confiſcation 'of property, for treaſon, is founded in this conſideration, 'that he, who has thus violated the fundamental principles 'of government, and broken his part of the original con-'tract between King and people, hath abandoned his con-'nections with ſociety, and hath no longer any right to thoſe 'advantages which before belonged to him, purely as a 'member of the community; among which ſocial advan-'tages the right of transferring or tranſmitting property to 'others, is one of the chief. Such forfeitures, moreover, 'whereby his poſterity muſt ſuffer as well as himſelf, will 'help to reſtrain a man, not only by the ſenſe of his duty 'and dread of perſonal puniſhment, but alſo by his paſſions 'and natural affections; and will influence every dependent 'and relation he has to keep him from offending.' 4 Black. 374. 375.

It is remarkable however, that this offence, notwithſtanding it is of a crimſon colour and of the deepeſt dye, and its juſt puniſhment is not confined to the perſon of the offender, but beggars all his family, is ſometimes committed by perſons who are not conſcious of guilt: Sometimes they are ignorant of the law, and do not foreſee the evils they bring upon ſociety; at others, they are induced to think that their cauſe is founded in the eternal principles of juſtice and truth, that they are only making an appeal to heaven, and may juſtly expect its decree in their favour. Doubtleſs, many of the rebels in the year 1745 were buoyed up with ſuch ſentiments: nevertheleſs they were cut down like graſs before the ſcythe of the mower; the gibbet and ſcaffold received thoſe that the ſword, wearied with deſtroying, had ſpared; and what loyaliſt ſhed one pitying tear over their graves? They were incorrigible rebels, and deſerved their fate. The community is in leſs danger when the diſaffected attempt to excite a rebellion againſt the *perſon* of the Prince, than when *government* itſelf is the object; becauſe in the former caſe the queſtions are few, ſimple, and their ſolutions obvious, the fatal conſequences more apparent, and the loyal people more alert to

ſuppreſs it in embryo: whereas, in the latter, a hundred rights of the people, inconſiſtent with government, and as many grievances, deſtitute of foundation, the mere creatures of diſtempered brains, are pourtrayed in the livelieſt colours, and ſerve as bug-bears to affright from their duty, or as decoys to allure the ignorant, the credulous and the unwary to their deſtruction. Their ſuſpicions are drowned in the perpetual roar for liberty and country; and even the profeſſions of allegiance to the perſon of the King, are improved as means to ſubvert his government.

In mentioning high-treaſon in the courſe of theſe papers, I may not always have expreſſed myſelf with the preciſion of the lawyers; they have a language peculiar to themſelves: I have examined their books, and beg leave to lay before you ſome further extracts which deſerve your attention: 'To levy war againſt the King, was high-treaſon by the common law, 3 inſt. 9. This is alſo declared to be high-treaſon by the ſtat. of 25 Ed. 3. c. 2. and by the law of this province, 8 W. 3. c. 5.—Aſſembling in warlike array, againſt a ſtatute, is levying war againſt the King, 1 Hale 133. So, to deſtroy any trade generally, 146. riding with banners diſplayed, or forming into companies—or being furniſhed with military officers—or armed with military weapons, as ſwords, guns, &c. any one of theſe circumſtances carries the *ſpeciem belli*, and will ſupport an indictment for high-treaſon in levying war, 150.—An inſurrection to raiſe the price of ſervants wages was held to be an overt act of this ſpecies of treaſon, becauſe this was done *in defiance of the ſtatute* of labourers, it was done in defiance of the *King's authority*, 5 Bac. 117. cites 3 inſt. 10. —Every aſſembling of a number of men in a warlike manner, with a deſign to redreſs any *public grievance*, is likewiſe an overt act of this ſpecies of treaſon, becauſe this, being an attempt to do that by *private authority*, which only ought to be done by the King's authority, is an invaſion of the prerogative, 5 Bac. 117. cites 3 inſt. 9. Ha. p. c. 14. Kel. 71. Sid. 358. 1 Hawk. 37.—Every aſſembling of a number of men in a *warlike* manner, with an intention to reform the government, or the law, is an overt act of this

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ſpecies of treaſon, 5 Bac. 117. cites 3 inſt. 9. 10. Poph. 122 Kel. 76. 7. 1 Hawk. 37.—*Levying war* may be by taking arms, not only to dethrone the King, but under pretence to reform religion, or the *laws*, or to remove evil counſellors, or other grievances, whether *real* or *pretended*, 4 Black. 81. Foſter 211.—If any levy war to expel ſtrangers,—to deliver men out of priſon,—to remove counſellors,—*or againſt any ſtatute*,—or to any other end, pretending reformation of their own heads, without warrant; this is levying war againſt the King, becauſe they take upon them royal authority which is againſt the King, 3 inſt. 9. —If three, four or more, riſe to pull down *an incloſure*, this is a riot; but if they had riſen of purpoſe to alter religion eſtabliſhed within the realm, or laws, or to go from town to town generally, and caſt down incloſures, this is a levying of war (though there be no great number of conſpirators) within the perview of this ſtatute; becauſe the *pretence* is *public* and *general*, and not *private* in particular, 3 inſt. 9. Foſter 211.—If any with ſtrength and weapons, invaſive and defenſive, do hold and defend a caſtle or fort againſt the King and his power, this is levying of war againſt the King, 3 inſt. 10. Foſter 219. 1 Hale 146. 296. —It was reſolved by all the judges of England in the reign of Henry the 8th, that an inſurrection againſt the ſtatute of labourers, for the inhancing of ſalaries and wages, was a levying of war againſt the King, becauſe it was generally againſt the *King's law*, and the offenders took upon them the reformation thereof, which ſubjects by gathering of power, ought not to do, 3 inſt. 10.—All riſings in order to effect innovations of a *public* and *general* concern, by an armed force, are, in conſtruction of law, high-treaſon within the clauſe of levying war.—For though they are not levelled at the perſon of the King, they are againſt his royal Majeſty. And beſides, they have a direct tendency to diſſolve all the bonds of ſociety, and to deſtroy all property, and all government too, by numbers and an armed force, Foſter 211. In Benſtead's caſe, Cro. car. 593. At a conference of all the juſtices and barons, it was reſolved, that going to Lambeth houſe, in warlike manner, to ſurpriſe

the Archbiſhop, who was a privy-counſellor (it being with drums and a multitude) to the number of three hundred perſons, was treaſon; upon which Foſter (page 212) obſerves, that if it did appear by the libel (which he ſays was previouſly poſted up at the Exchange, exhorting the apprentices to riſe and ſack the Biſhop's houſe, upon the Monday following) or by the cry of the rabble, at Lambeth houſe, that the attempt was made on account of meaſures *the King had taken, or was then taking at the inſtigation, as they imagined, of the Archbiſhop*, and that the rabble had *deliberately*, and upon a *public invitation*, attempted by *numbers* and open force, to take a *ſevere revenge* upon the *privy counſellor* for the meaſures the Sovereign had taken or was purſuing; the *grounds and reaſons* of the reſolution would be ſufficiently explained, without taking that *little* circumſtance of the *drum* into the caſe:—And he delivers it as his opinion (page 208) that no great ſtreſs can be laid on that diſtinction taken by Ld. C. J. Hale, between an inſurrection with, and one without, the appearance of an army formed under leaders and provided with military weapons, and with drums, colours, &c. and ſays, the *want* of theſe circumſtances weighed nothing with the court in the caſes of Damaree and Purchaſe, but that it was ſupplied by the *number* of the inſurgents: That they were provided with axes, crows and ſuch like tools, *furor arma miniſtrat*; and adds (page 208) the true criterion in all theſe caſes, is, *quo animo*, did the parties aſſemble, whether on account of ſome *private* quarrel, or (page 211) to effect innovations of a *public* and *general* concern, by an armed force. Upon the caſe of Damaree and Purchaſe (reported 8 ſtat. in. 218. to 285.) Judge Foſter obſerves (page 215) that 'ſince the meeting-'houſes of proteſtant diſſenters are, by the *toleration act*, 'taken under *protection* of the *law*, the inſurrection in 'the preſent caſe (being to pull down all diſſenting pro-'teſtant meeting-houſes) was to be conſidered as a public 'declaration of the rabble *againſt that act*, and an attempt 'to render it *ineffectual* by *numbers* and open force.'

If there be a conſpiracy to levy war, and afterwards war is levied; the conſpiracy is, in every one of the conſpitators,

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an overt act of this ſpecies of treaſon, for there can be no acceſſary in high-treaſon, 5 Bac. 115. cites 3 inſt. 9. 10. 138 Hales P. C. 14. Kel. 19. 1 Hawk. 38.——A compaſſing or conſpiracy to levy war is no treaſon, for there muſt be a levying of war *in facto*. But if many conſpire to levy war, and ſome of them do levy the ſame according to the conſpiracy; this is high-treaſon in all, for in treaſon all are principals, and war is levied, 3 inſt. 9. Foſter 213.

The *painful* taſk of applying the above rules of law to the ſeveral tranſactions that we have been eye-witneſſes to, will never be mine. Let me however intreat you to make the application in your own minds; and thoſe of you that have continued hitherto "faithful among the faithleſs", Abdiel like, to perſevere in your integrity: and thoſe of you that have already been enſnared by the accurſed wiles of deſigning men, I would exhort to caſt yourſelves immediately upon that mercy, ſo conſpicuous through the Britiſh conſtitution, and which is the brighteſt jewel in the imperial diadem.

MASSACHUSETTENSIS.

February 6, 1775.

LETTER X.

To the Inhabitants of the Province of Maſſachuſetts-Bay.

I Offered to your conſideration, laſt week, a few extracts from the law-books, to enable thoſe, that have been but little converſant with the law of the land, to form a judgment, and determine for themſelves, whether any have been ſo far beguiled and ſeduced from their allegiance, as to commit the moſt aggravated offence againſt ſociety,—high-treaſon. The whigs reply, riots and inſurrections are frequent in England, the land from which we ſprang; we are bone of their bone, and fleſh of their fleſh:—Granted; but at the ſame time be it remembered, that in England the executive power is commonly able and willing to ſuppreſs inſurrections, the judiciary to diſtribute impartial juſtice, and the legiſlative to aid and ſtrengthen the two former if neceſſary; and whenever theſe have proved ineffectual to allay inteſtine commotions, war, with its concomitant hor-

horrors, have paſſed through the land, marking their rout with blood: The bigger part of Britain has at ſome period or other, within the reach of hiſtory, been forfeited to the crown, by the rebellion of its proprietors.

Let us now take a view of American grievances, and try, by the ſure touchſtone of reaſon and the conſtitution, whether there be any act or acts, on the part of the King or parliament, that will juſtify the whigs even in *foro conſcientiæ*, in thus forcibly oppoſing their government. Will the alteration of the mode of appointing one branch of our provincial legiſlature furniſh ſo much as an excuſe for it, conſidering that our politicians, by their intrigues and machinations, had rendered the aſſembly incapable of anſwering the purpoſe of government, which is protection, and our charter was become as inefficacious as an old ballad? Or can a plea of juſtification be founded on the parliament's giving us an exact tranſcript of Engliſh laws for returning jurors, when our own were inſufficient to afford compenſation to the injured, to ſuppreſs ſeditions, or even to reſtrain rebellion? It has been heretofore obſerved, that each member of the community is entitled to protection; for this he pays taxes, for this he relinquiſhes his natural right of revenging injuries and redreſſing wrongs, and for this the ſword of juſtice is placed in the hands of the magiſtrate. It is notorious that the whigs had uſurped the power of the province in a great meaſure, and exerciſed it by revenging themſelves on their opponents, or in compelling them to inliſt under their banners. Recollect the frequency of mobs and riots, the invaſions and demolitions of dwelling-houſes and other property, the perſonal abuſe and frequent neceſſity of perſons abandoning their habitations, the taking ſanctuary on board men of war, or at the caſtle, *previous* to the regulating bill. Conſider that theſe ſufferers were loyal ſubjects, violators of no law, that many of them were crown officers, and were thus perſecuted for no other offence than that of executing the King's law. Conſider, further, that if any of the ſufferers ſought redreſs in a court of law, he had the whole whig intereſt to combat: they gathered like a cloud and hovered

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like harpies round the ſeat of juſtice, until the ſuitor was either condemned to pay coſts to his antagoniſt, or recovered ſo ſmall damages, as that they were ſwallowed up in his own. Conſider further, that theſe riots were not the accidental or ſpontaneous riſings of the populace, but the reſult of the deliberations and mature councils of the whigs, and were ſometimes headed and led to action by their principals. Conſider further, that the general aſſembly lent no aid to the executive power. Weigh theſe things, my friends, and doubt if you can, whether the act for regulating our government did not flow from the parental tenderneſs of the Britiſh councils, to enable us to recover from anarchy, without Britain being driven to the neceſſity of inflicting puniſhment, which is her ſtrange work. Having taken this curſory view of the convulſed ſtate of the province, let us advert to our charter-form of government, and we ſhall find its diſtributions of power to have been ſo prepoſterous as to render it next to impoſſible for the province to recover by its own ſtrength. The council was elective annually by the houſe, liable to the negative of the chair; and the chair was reſtrained from acting even in the executive department, without the concurrence of the board. The political ſtruggle is often between the governor and the houſe; and it is a maxim with politicians, that he that is not for us is againſt us: Accordingly, when party runs high, if a councillor adhered to the governor, the houſe refuſed to elect him the next year; if he adhered to the houſe; the governor negatived him; if he trimmed his bark, ſo as to ſteer a middle courſe between Scylla and Charybdis, he was in danger of ſuffering more by the neglect of both parties, than of being wrecked but on one.

In moderate times this province has been happy under our charter-form of government; but, when the political ſtorm aroſe, its original defect became apparent: We have ſometimes ſeen half a dozen ſail of tory navigation unable, on an election day, to paſs the bar formed by the flux and reflux of the tides at the entrance of the harbour, and as many whiggiſh ones ſtranded the next morning on Governor's Iſland. The whigs took the lead in this game; and there-

therefore I think the blame ought to reſt upon them, though the tables were turned upon them in the ſequel. A ſlender acquaintance with human nature will inform us, and experienec has evinced, that a body of men, thus conſtituted, are not to be depended upon to act that vigorous, intrepid and deciſive part, which the emergency of the late times required, and which might have proved the ſalvation of the province. In ſhort, the board, which was intended to moderate between the governor and the houſe, or perhaps rather to ſupport the former, was incapable of doing either by its original conſtitution. By the regulating act the members of the board are appointed by the King in council, and are not liable even to the ſuſpenſion of the governor; their commiſſions are *durante bene placito*, and they are therefore far from independence. The infant ſtate of the colonies does not admit of a peerage, nor perhaps of any third branch of legiſlature wholly independent. In moſt of the colonies the council is appointed by *mandamus*, and the members are moreover liable to be ſuſpended by the governor; by which means they are more dependent than thoſe appointed according to the regulating act, but no inconvenience ariſes from that mode of appointment. Long experience has evinced its utility. By this ſtatute, extraordinary powers are devolved upon the chair, to enable the governor to maintain his authority, and to oppoſe with vigour the daring ſpirit of independence, ſo manifeſt in the whigs. Town-meetings are reſtrained to prevent their paſſing traiterous reſolves. Had theſe, and many other innovations contained in this act, been made in moderate times, when due reverence was yielded to the magiſtrate, and obedience to the law, they might have been called grievances; but we have no reaſon to think, that, had the ſituation of the province been ſuch, this ſtatute would ever have had an exiſtence—nor have we any reaſon to doubt, but that it will be repealed, in whole or in part, ſhould our preſent form of government be found by experience to be productive of rapine or oppreſſion. It is impoſſible, that the King, lords or commons could have any ſiniſter views in regulating the government of this province. Sometimes

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we are told that charters are ſacred: However ſacred, they are forfeited through negligence or *abuſe* of their franchiſes, in which caſes the law judges, that the body politic has broken the condition upon which it was incorporated.

There are many inſtances of the negligence and abuſe which work the forfeiture of charters delineated in law books. They alſo tell us, that all charters may be vacated by act of parliament. Had the form of our provincial legiſlature been eſtabliſhed by act of parliament, that act might have been conſtitutionally and equitably repealed, when it was found to be incapable of anſwering the end of its inſtitution. Stronger ſtill is the preſent caſe, where the form of government was eſtabliſhed by one branch of the legiſlature only, viz. the King, and all three join in the revocation. This act was however a fatal ſtroke to the ambitious views of our republican patriots. The monarchical part of the conſtitution was ſo guarded by it, as to be no longer vulnerable by their ſhafts; and all their fancied greatneſs vaniſhed like the baſeleſs fabric of a viſion. Many, who had been long ſtriving to attain a ſeat at the board, with their faces thitherward, beheld, with infinite regret, their competitors advanced to the honors they aſpired to themſelves. Theſe diſappointed, ambitious and envious men inſtil the poiſon of diſaffection into the minds of the lower claſſes, and as ſoon as they are properly impregnated, exclaim, *the people* never will ſubmit to it. They now would urge them into certain ruin, to prevent the execution of an act of parliament, deſigned and calculated to reſtore peace and harmony to the province, and to recal that happy ſtate, when year rolled round on year, in a continual increaſe of our felicity.

The Quebec bill is another capital grievance, becauſe the Canadians are tolerated in the enjoyment of their religion, which they were entitled to, by an article of capitulation, when they ſubmitted to the Britiſh arms. This toleration is not an excluſion of the proteſtant religion, which is eſtabliſhed in every part of the empire, as firmly as civil polity can eſtabliſh it. It is a ſtrange kind of reaſoning to argue, from the French inhabitants of the con-

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quered province of Quebec, being tolerated in the enjoyment of the Roman Catholic religion in which they were educated, and in which alone they repoſe their hope of eternal ſalvation, that therefore government intends to deprive us of the enjoyment of the proteſtant religion in which alone we believe; eſpecially as the political intereſts of Britain depend upon proteſtant connexions, and the King's being a proteſtant himſelf is an indiſpenſable condition of his wearing the crown. This circumſtance, however, ſerved admirably for a freſh ſtimulus, and was eagerly graſped by the diſaffected of all orders. It added pathos to *pulpit oratory*. We often ſee reſolves and ſeditious letters interſperſed with *popery* here and there in Italics. If any of the clergy have endeavoured, from this circumſtance, to alarm their too credulous audiences, with an apprehenſion that their religious privileges were in danger, thereby to excite them to take up arms; we muſt lament the depravity of the beſt of men: but human nature ſtands appalled when we reflect upon the aggravated guilt of *proſtituting our holy religion to the accurſed purpoſes of treaſon and rebellion.* As to our lay politicians, I have long ſince ceaſed to wonder at any thing in them; but it may be obſerved, that there is no ſurer mark of a bad cauſe than for its advocates to recur to ſuch pitiful ſhifts to ſupport it. This inſtance plainly indicates, that their ſole dependence is in preventing the paſſions ſubſiding, and cool reaſon reſuming its ſeat. It is a mark of their ſhrewdneſs however, for whenever reaſon ſhall reſume its ſeat, the political cheat will be detected, ſtand confeſt in its native turpitude, and the political knave be branded with marks of infamy, adequate, if poſſible, to the enormity of his crimes.

MASSACHUSETTENSIS.

February 13, 1775.

LETTER XI.

To the Inhabitants of the Province of Maſſachuſetts-Bay.

IT would be an endleſs taſk to remark minutely upon each of the fancied grievances, that ſwarm and cluſter, fill

fill and deform, the American chronicles. An adeptneſs at diſcovering grievances, has lately been one of the principal recommendations to public notice and popular applauſe. We have had geniuſes ſelected for that purpoſe, called *committees upon grievances*; a ſagacious ſet they were, and diſcovered a multitude before it was known, that they themſelves were the greateſt grievances that the country was infeſted with. The caſe is ſhortly this; the whigs ſuppoſe the colonies to be ſeparate or diſtinct ſtates: having fixed this opinion in their minds, they are at no loſs for grievances. Could I agree with them in their firſt principle, I ſhould acquieſce in many of their deductions; for in that caſe every act of parliament extending to the colonies, and every movement of the crown to carry them into execution, would be really grievances, however wiſe and ſalutary they might be in themſelves; as they would be exertions of a power that we were not conſtitutionally ſubject to, and would deſerve the name of uſurpation and tyranny. But deprived of this, their corner ſtone, the terrible fabric of grievances vaniſhes like caſtles raiſed by enchantment, and leaves the wondering ſpectator amazed and confounded at the deception. He ſuſpects himſelf to have but juſt awoke from ſleep, or recovered from a trance, and that the formidable ſpectre that had frozen him with horror, was no more than the creature of a viſion, or the deluſion of a dream.

Upon this point, whether the colonies are diſtinct ſtates or not, our patriots have raſhly tendered Great Britain an iſſue, againſt every principle of law and conſtitution, againſt reaſon and common prudence. There is no arbiter between us but the *ſword*; and that the deciſion of that tribunal will be againſt us, reaſon foreſees, as plainly as it can diſcover any event that lies in the womb of futurity. No perſon, unleſs actuated by ambition, pride, malice, envy, or a malignant combination of the whole that verges towards madneſs, and hurries the man away from himſelf, would wage war upon ſuch unequal terms. No honeſt man would engage himſelf, much leſs plunge his country into the calamities of a war upon equal terms, without firſt ſettling with his conſcience, in the retired moments of reflection,

the important queſtion reſpecting the juſtice of his cauſe. To do this, we muſt hear and weigh every thing that is fairly adduced, on either ſide of the queſtion, with equal attention and care: *a diſpoſition to drink in with avidity, what favours our hypotheſis, and to reject with diſguſt whatever contravenes, is an infallible mark of a narrow, ſelfiſh mind.* In matters of ſmall moment ſuch obſtinacy is weakneſs and folly, in important ones, fatal madneſs. There are many among us, who have devoted themſelves to the ſlaviſh dominion of prejudice; indeed the more liberal have ſeldom had an opportunity of bringing the queſtion to a fair examination. The eloquence of the bar, the pulpit, and the ſenate, the charms of poetry, the expreſſions of painting, ſculpture and ſtatuary, have conſpired to fix and rivet ideas of independence upon the mind of the coloniſts. The overwhelming torrent, ſupplied from ſo many fountains, rolled on with increaſing rapidity and violence, till it became ſuperior to all reſtraint. It was the reign of paſſion; the ſmall, ſtill voice of reaſon was refuſed audience. I have obſerved that the preſs was heretofore open to but one ſide of the queſtion, which has given offence to a writer in Edes and Gill's paper, under the ſignature of Novanglus, to whom I have many things to ſay. I would at preſent aſk him, if the convention of committees for the county of Worceſter in recommending to the inhabitants of that county not to take news papers, publiſhed by two of the printers in this town, and two at New-York, have not affected to be licenſers of the preſs? And whether, by proſcribing theſe printers, and endeavouring to deprive them of a livelihood, they have not manifeſted an illiberal, bigotted, arbitrary, malevolent diſpoſition? And whether, by thus attempting to deſtroy the liberty of the preſs, they have not betrayed a conſciouſneſs of the *badneſs of their cauſe?*

Our warriors tell us, that the parliament ſhall be permitted to legiſlate for the purpoſes of regulating trade, but the parliament hath moſt unrighteouſly aſſerted, that it "had, hath, and of right ought to have, full power and "authority to make laws and ſtatutes of ſufficient force "and validity to bind the colonies in all caſes whatſoever;"

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that this claim, being without any qualification or reſtriction, is an innovation, and inconſiſtent with liberty. Let us candidly enquire into theſe three obſervations, upon the ſtatute declaratory of the authority of parliament. As to its univerſality, it is true there are no exceptions expreſſed; but there is no general rule without exceptions, expreſſed or implied.

The implied ones in this caſe are obvious. It is evident that the intent and meaning of this act, was to aſſert the ſupremacy of parliament in the colonies, that is, that its conſtitutional authority to make laws and ſtatutes binding upon the colonies, is, and ever had been, as ample, as it is to make laws binding upon the realm. No one that reads the declaratory ſtatute, not even prejudice itſelf, can ſuppoſe that the parliament meant to aſſert thereby a right or power to deprive the coloniſts of their lives, to enſlave them, or to make any law reſpecting the colonies, that would not be conſtitutional, were it made reſpecting Great Britain. By an act of parliament paſſed in the year 1650, it was declared concerning the colonies and plantations in America, that they had "ever ſince the planting thereof been and "ought to be ſubject to ſuch laws, orders and regulations, "as are or ſhall be made by the parliament of England." This declaration, though differing in expreſſion, is the ſame in ſubſtance with the other. Our Houſe of repreſentatives, in their diſpute with Governor Hutchinſon, concerning the ſupremacy of parliament, ſay, "It is difficult, if poſſible, "to draw a line of diſtinction between the univerſal au-"thority of parliament over the colonies and no authority "at all."

The declaratory ſtatute was intended more eſpecially to aſſert the right of parliament, to make laws and ſtatutes for raiſing a revenue in America, leſt the repeal of the ſtamp-act might be urged as a diſclaimer of the right. Let us now enquire, whether a power to raiſe a revenue be not the inherent, unalienable right of the ſupreme legiſlature of every well-regulated ſtate, where the hereditary revenue of the crown, or eſtabliſhed revenues of the ſtate are inſufficient of themſelves; and whether that power be not neceſ-

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ſarily coëxtenſive with the power of legiſlation, or rather neceſſarily implied in it.

The end or deſign of government, as has been already obſerved, is the ſecurity of the people from internal violence and rapacity, and from foreign invaſion. The ſupreme power of a ſtate muſt neceſſarily be ſo extenſive and ample as to anſwer thoſe purpoſes; otherwiſe it is conſtituted in vain, and degenerates into empty parade and mere oſtentatatious pageantry. Theſe purpoſes cannot be anſwered, without a power to raiſe a revenue; for without it neither the laws can be executed nor the ſtate defended. This revenue ought, in national concerns, to be apportioned throughout the whole empire according to the abilities of the ſeveral parts; as the claim of each to protection is equal: a refuſal to yield the former is as unjuſt as the withholding the latter. Were any part of an empire exempt from contributing their proportionable part of the revenue neceſſary for the whole, ſuch exemption would be manifeſt injuſtice to the reſt of the empire; as it muſt of courſe bear more than its proportion of the public burden, and it would amount to an additional tax. If the proportion of each part was to be determined only by itſelf in a ſeparate legiſlature; it would not only involve it in the abſurdity of *imperium in imperio*, but the perpetual contention ariſing from the predominant principle of ſelf-intereſt in each, without having any common arbiter between them, would render the disjointed, diſcordant, torn and diſmembered ſtate incapable of collecting or conducting its force and energy, for the preſervation of the whole, as emergencies might require. A government thus conſtituted would contain the ſeeds of diſſolution in its firſt principles, and muſt ſoon deſtroy itſelf.

I have already ſhewn that, by your firſt charter, this province was to be ſubject to taxation after the lapſe of twenty-one years, and that the authority of parliament to impoſe ſuch taxes was claimed ſo early as the year 1642.

In the patent for Pennſylvania, which is now in force, there is this clauſe, "And further our pleaſure is, and by "theſe preſents, for us, &c. we do covenant and agree to

"and

" and with the ſaid William Penn, &c. that we, &c. ſhall " at no time hereafter ſet or make, or cauſe to be ſet, any " impoſition, cuſtom or other taxation, or rate or contri- " bution whatſoever, in and upon the dwellers and inhabi- " tants of the aforeſaid province, for their lands, tenements, " goods or chattels within the ſaid province, or in and upon " any goods or merchandiſe within the ſaid province, to be " laden or unladen within the ports or harbours of the ſaid " province, *unleſs* the ſame be with the conſent of the pro- " prietors, chief governor or aſſembly, or by *act of parlia- " ment.*"

Theſe are ſtubborn facts: they are incapable of being winked out of exiſtence, how much ſoever we may be diſpoſed to ſhut our eyes upon them. They prove that the claim of a right to raiſe a revenue in the colonies, excluſive of the grants of their own aſſemblies, is coëval with the colonies themſelves. I ſhall next ſhew, that there has been an actual, uninterrupted exerciſe of that right by the parliament, time immemorial.

MASSACHUSETTENSIS.

February 20, 1775.

LETTER XII.

To the Inhabitants of the Province of Maſſachuſetts-Bay.

BY an act of parliament, made in the twenty-fifth year of the reign of Charles the ſecond, duties are laid upon goods and merchandiſe of various kinds, exported from the colonies to foreign countries, or carried from one colony to another, payable on exportation. I will recite a part of it; viz. ' For ſo much of the ſaid commodities as ſhall ' be laden and put on board ſuch ſhip or veſſel, that is to ' ſay, for ſugar white the hundred weight, five ſhillings; ' and brown and Muſcovados the hundred weight, one ſhil- ' ling and ſixpence; tobacco the pound, one penny; cot- ' ton wool the pound, one half-penny; for indigo two ' pence; ginger the hundred weight, one ſhilling; log- ' wood the hundred weight, five pounds; fuſtic and all ' other dying wood the hundred weight, ſix pence; cocoa

' the

'the pound, one penny, to be *levied, collected, and paid* at 'ſuch places and to ſuch collectors and other officers, as '*ſhall be appointed* in the reſpective plantations, to collect, 'levy and receive the ſame before the landing thereof, and 'under ſuch penalties both to the officers and upon the 'goods, as for non-payment of, or *defrauding his majeſty of 'his cuſtoms in England.* And for the better *collecting of the 'ſeveral rates and duties impoſed by this act*, be it enacted, that 'this whole buſineſs ſhall be ordered and managed, and the 'ſeveral duties hereby impoſed ſhall be cauſed *to be levied 'by the commiſſioners of the cuſtoms in England*, by and under 'the authority of the lord treaſurer of England, or com-'miſſioners of the treaſury.'

It is apparent, from the reaſoning of this ſtatute, that theſe duties were impoſed for the ſole purpoſe of revenue. There has lately been a moſt ingenious play upon the words and expreſſions, *tax*, *revenue*, *purpoſe of raiſing a revenue*, *ſole purpoſe of raiſing a revenue*, *expreſs purpoſe of raiſing a revenue*; as though their being inſerted in or left out of a ſtatute, would make any eſſential difference in the ſtatute. This is mere playing with words; for if, from the whole tenor of the act, it is evident, that the intent of the legiſlature was to tax, rather than to regulate the trade, by impoſing duties on goods and merchandiſe; it is to all intents and purpoſes an inſtance of taxation, be the form of words, in which the ſtatute is conceived, what it will. That ſuch was the intent of the legiſlature, in this inſtance, any one that will take the pains to read it will be convinced. There have been divers alterations made in this by ſubſequent ſtatutes; but ſome of the above taxes remain, and are collected and paid in the colonies to this day. By an act of the 7th and 8th of William and Mary it is enacted, 'that every ſeaman whatſoever that ſhall ſerve 'his majeſty, or any other perſon whatever in any of his ma-'jeſty's ſhips or veſſels whatſoever, belonging or to belong 'to any ſubjects of England, or any other his majeſty's do-'minions, ſhall allow, and there ſhall be paid out of the 'wages of every ſuch ſeaman, to grow due for ſuch his ſer-'vice, ſix pence per annum for the better ſupport of the 'ſaid hoſpital, and to augment the *revenue* thereof.' This

tax

tax was impoſed in the reign of King William the third, of bleſſed memory, and is ſtill levied in the colonies. It would require a volume to recite or minutely remark upon all the revenue acts that relate to America. We find them in many reigns, impoſing new duties, taking off, or reducing, old ones, and making proviſion for their collection, or new appropriations of them. By an act of the 7th and 8th of William and Mary, entitled 'an act for preventing frauds 'and regulating abuſes in the plantations,' all former acts reſpecting the plantations are renewed, and all ſhips and veſſels, coming into any port here, are liable to the ſame regulations and reſtrictions as ſhips in the ports in England are liable to; and it enacts '*That the officers for collecting* '*and managing his majeſty's revenue, and inſpecting the plan-* '*tation trade in many of the ſaid plantations*, ſhall have the 'ſame powers and authority for viſiting and ſearching of 'ſhips and taking their entries, and for ſeizing, or ſecuring, 'or bringing on ſhore, any of the goods prohibited to be 'imported or exported into or out of any of the ſaid colo-'nies and plantations, *or for which any duties are payable* '*or ought to be paid by any of the before mentioned acts, as are* '*provided for the officers of the cuſtoms in England.*'

The act of the 9th of Queen Anne, for eſtabliſhing a poſt-office, gives this reaſon for its eſtabliſhment, and for laying taxes thereby impoſed on the carriage of letters in Great-Britain and Ireland, the colonies and plantations in North-America and the Weſt-Indies, and all other his majeſty's dominions and territories, 'that the buſineſs may be 'done in ſuch manner as may be moſt beneficial to the 'people of theſe kingdoms, and her majeſty may be ſup-'plied, and the revenue ariſing by the ſaid office, better 'improved, ſettled and ſecured to her majeſty, her heirs and 'ſucceſſors.' The celebrated patriot, Dr. Franklin, was till lately one of the principal collectors of it. The merit in putting the poſt-office in America upon ſuch a footing as to yield a large revenue to the crown, is principally aſcribed to him by the whigs. I would not wiſh to detract from the real merit of that gentleman; but, had a tory been half ſo aſſiduous in increaſing the American revenue, No-

vanglus would have wrote parricide at the end of his name. By an act of the ſixth of George the ſecond, a duty is laid on all foreign rum, melaſſes, ſyrups, ſugars and paneles, to be *raiſed, levied, collected and paid unto and for the uſe of his majeſty, his heirs and ſucceſſors.* The preamble of an act of the fourth of his preſent majeſty declares, that '*it is juſt* '*and neceſſary that a revenue in America for defraying the ex-* '*pences of defending, protecting and ſecuring the ſame,*' &c. by which act duties are laid upon foreign ſugars, coffee, Madeira wine; upon Portugal, Spaniſh and all other wine (except French wine) imported from Great-Britain; upon ſilks, bengals, ſtuffs, callico, linen cloth, cambric and lawn, imported from particular places.

Thus, my friends, it is evident, that the parliament has been in the actual, uninterrupted uſe and exerciſe of the right claimed by them, to raiſe a revenue in America, from a period more remote than the grant of the preſent charter, to this day. Theſe revenue acts have never been called unconſtitutional till very lately. Both whigs and tories acknowledged them to be conſtitutional. In 1764 Governor Bernard wrote and tranſmitted to his friends his polity alluded to, and in part received by Novanglus, wherein he aſſerts the right or authority of parliament to tax the colonies. Mr. Otis, whoſe patriotiſm, ſound policy, profound learning, integrity and honour, is mentioned in ſtrong terms by Novanglus, in the ſelf-ſame year, in a pamphlet which he publiſhes to the whole world, aſſerts the right or authority of parliament to tax the colonies, as roundly as ever Governor Bernard did, which I ſhall have occaſion to take an extract from hereafter. Mr. Otis was at that time the moſt popular man in the province, and continued his popularity many years afterwards.

Is it not a moſt aſtoniſhing inſtance of caprice, or infatuation, that a province, torn from its foundations, ſhould be precipitating itſelf into a war with Great-Britain, becauſe the Britiſh parliament aſſerts its right of raiſing a revenue in America; inaſmuch as the claim of that right is as antient as the colonies themſelves, and there is at preſent no grievous exerciſe of it? The parliament's refuſing to repeal the

tea

tea act is the oſtenſible foundation of our quarrel. If we aſk the whigs, whether the pitiful three-penny duty upon a luxurious, unwholeſome, foreign commodity, gives juſt occaſion for the oppoſition; they tell us, it is the precedent they are contending about, inſinuating that it is an innovation. But this ground is not tenable; for a total repeal of the tea-act would not ſerve us upon the ſcore of precedents. They are numerous without this. The whigs have been extremely partial reſpecting tea. Poor tea has been made the ſhibboleth of party; while melaſſes, wine, coffee, indigo, &c. &c. have been unmoleſted. A perſon that drinks New-England rum, diſtilled from melaſſes ſubject to a like duty, is equally deſerving of a coat of tar and feathers with him that drinks tea. A coffee drinker is as culpable as either, viewed in a political light. But, ſay our patriots, if the Britiſh parliament may take a penny from us without our conſent, they may a pound, and ſo on, till they have filched away all our property. This inceſſant incantation operates like a ſpell or a charm, and checks the efforts of loyalty in many an honeſt breaſt. Let us give it its full weight: Do they mean that if the parliament has a right to raiſe a revenue of one penny on the colonies, that they muſt therefore have a *right* to wreſt from us all our property? If this be their meaning, I deny their deduction; for the ſupreme legiſlature can have no right to tax any part of the empire to a greater amount, than its juſt and equitable proportion of the neceſſary national expence. This is a line drawn by the conſtitution itſelf. Do they mean, that, if we admit that the parliament may conſtitutionally raiſe one penny upon us for the purpoſes of revenue, they will probably proceed from light to heavy taxes, till their impoſitions become grievous and intolerable? This amounts to no more than a denial of the right, *leſt* it ſhould be abuſed. But an argument drawn from the actual abuſe of a power, will not conclude to the illegality of ſuch power; much leſs will an argument drawn from the capability of its being abuſed. If it would, we might readily argue away all power that man is intruſted with. I will admit, that a power of taxation is more liable

to abuſe than legiſlation ſeparately conſidered; and it would give me pleaſure to ſee ſome other line drawn, ſome other barrier erected, than what the conſtitution has already done, if it be poſſible, whereby the conſtitutional authority of the ſupreme legiſlature might be preſerved intire, and America be guaranteed in every right and exemption, conſiſtent with her ſubordination and dependence. But this can only be done by *parliament*. I repeat, I am no advocate for a land-tax, or any other kind of internal tax, nor do I think we were in any danger of them; I have not been able to diſcover one ſymptom of any ſuch intention in the parliament, ſince the repeal of the ſtamp-act. Indeed the principal ſpeakers of the majority, that repealed the ſtamp-act, drew the line for us, between internal and external taxation; and I think we ought, in honour, juſtice, and good policy, to have acquieſced therein, at leaſt till there was ſome burdenſome exerciſe of taxation. For there is but little danger from the latter, that is, from duties laid upon trade; as any grievous reſtriction or impoſition on American trade, would be ſenſibly felt by the Britiſh; and I think, with Dr. Franklin, that 'they (the Britiſh nation) have a 'natural and equitable right to ſome toll or duty upon mer-'chandiſes carried through that part of their dominions, 'viz. the American ſeas, towards defraying the expence 'they are at in ſhips to maintain the ſafety of that carriage.' Theſe were his words in his examination at the bar of the houſe, in 1765. *Sed tempora mutantur, et nos mutamur in illis.* Before we appeal to heaven for the juſtice of our cau e, we ought to determine, with ourſelves, ſome other queſtions, whether America is not obliged in equity to contribute ſomething toward the national defence: Whether the preſent American revenue amounts to our proportion: And whether we can, with any tolerable grace, accuſe Great-Britain of *injuſtice* in impoſing the late duties, when our Aſſemblies were previouſly called upon, and refuſed to make any proviſion for themſelves. Theſe, with ſeveral imaginary grievances, not yet particularly remarked upon, I ſhall conſider in reviewing the publications of Novanglus; a performance, which, though not deſtitute of ingenuity, I read with

with a mixture of grief and indignation, as it ſeems to be calculated to blow up every ſpark of animoſity, and to kindle ſuch a flame, as muſt inevitably conſume a great part of this once happy province, before it can be extinguiſhed.

MASSACHUSETTENSIS.

February 27, 1775.

LETTER XIII.

To the Inhabitants of the Province of Maſſachuſetts-Bay.

NOVANGLUS and all others have an indiſputable right to publiſh their ſentiments and opinions to the world, provided they conform to truth, decency and the municipal laws of the ſociety of which they are members. He has wrote with a profeſſed deſign of expoſing the errors and ſophiſtry, which he ſuppoſes are frequent in my publications: His deſign is ſo far laudable; and I intend to correct them wherever he convinces me there is an inſtance of either. I have no objection to the minuteſt diſquiſition: contradiction and diſputation, like the colliſion of flint and ſteel, often ſtrike out new light. The bare opinions of either of us, accompanied by the grounds and reaſons upon which they were formed, muſt be conſidered only as propoſitions made to the reader for him to adopt or reject, as his own reaſon may judge, or feelings dictate. A large proportion of the labours of Novanglus conſiſt in denials of my allegations in matters of ſuch public notoriety, as that no reply is neceſſary: He has alledged many things deſtitute of foundation. Thoſe that affect the main object of our purſuit but remotely, if at all, I ſhall paſs by without particular remark; others, of a more intereſting nature, I ſhall review minutely. After ſome general obſervations upon Maſſachuſettenſis, he ſlides into a moſt virulent attack upon particular perſons, by names, with ſuch incomparable eaſe, that ſhews him to be a great proficient in the modern art of detraction and calumny. He accuſes the late Governor Shirley, Governor Hutchinſon, the late Lieutenant Governor Oliver, the late Judge Ruſſell, Mr Paxton, and Brigadier Ruggles, of a conſpiracy to enſlave their country. The

charge

charge is high coloured: if it be juſt, they merit the epithets, dealt about ſo indiſcriminately, of enemies to their country; if it be groundleſs, Novanglus has acted the part of an aſſaſſin, in thus attempting to deſtroy the reputation of the living, and of ſomething worſe than an aſſaſſin, in entering thoſe hallowed manſions, where the wicked commonly ceaſe from troubling and the weary are at reſt, to diſturb the repoſe of the dead. That the charge is groundleſs reſpecting Governor Bernard, Governor Hutchinſon, and the late Lieutenant Governor, I dare aſſert; becauſe they have been acquitted of it in ſuch a manner as every good citizen muſt acquieſce in. Our houſe of repreſentatives, acting as the grand inqueſt of the province, preſented them before the King in council; and after a full hearing they were acquitted with honor, and the ſeveral impeachments diſmiſſed, as *groundleſs*, *vexatious* and *ſcandalous*. The accuſation of the houſe was ſimilar to this of Novanglus; the court, they choſe to inſtitute their ſuit in, was of competent and high juriſdiction, and its deciſion final. This is a ſufficient anſwer to the ſtate charges made by this writer, ſo far as they reſpect the Governors Bernard, Hutchinſon and Oliver, whom he accuſes as principals; and it is a general rule, that, if the principal be innocent, the acceſſary cannot be guilty. A determination of a conſtitutional arbiter ought to ſeal up the lips of even prejudice itſelf in ſilence; otherwiſe litigation muſt be endleſs. This calumniator nevertheleſs has the effrontery to renew the charge in a public news-paper, although thereby he arraigns our moſt gracious Sovereign and the lords of the privy council, as well as the gentlemen he has named. Not content with wounding the honor of judges, counſellors and governors, with miſſile weapons, darted from an obſcure corner, he now aims a blow at Majeſty itſelf. Any one may accuſe, but accuſation unſupported by proof recoils upon the head of the accuſer. It is entertaining enough to conſider the crimes and miſdemeanors alledged, and then examine the evidence he adduces, ſtript of the falſe glare he has thrown upon it.

The crimes are theſe; the perſons named by him conſpired together to *enſlave* their country, in conſequence of a plan

a plan, the outlines of which have been drawn by Sir Edmund Andros and others, and handed down by tradition to the preſent times. He tells us that Governor Shirley, in 1754, communicated the profound ſecret, the great deſign of taxing the colonies by act of parliament, to the ſagacious gentleman, eminent philoſopher, and diſtinguiſhed patriot, Dr. Franklin. The profound ſecret is this; after the commencement of hoſtilities between the Engliſh and French colonies in the laſt war, a convention of committees from ſeveral provinces were called by the King to agree upon ſome general plan of defence: The principal difficulty they met with was in diviſing means, whereby each colony might be obliged to contribute its proportionable part. General Shirley propoſed, *that application ſhould be made to parliament to impower the committees of the ſeveral colonies to tax the whole according to their ſeveral proportions.* This plan was adopted by the convention, and approved of by the aſſembly in New-York, who paſſed a reſolve in theſe words: 'That the ſcheme propoſed by Governor 'Shirley, for the defence of the Britiſh colonies in North-'America, is well concerted, and that this colony joins 'therein.' This however did not ſucceed, and he propoſed another, viz. for the parliament to aſſeſs each one's proportion, and, in caſe of failure to raiſe it on their part, that it ſhould be done by parliament. This is the profound ſecret. His aſſiduity, in endeavouring to have ſome effectual plan of general defence eſtabliſhed, is, by the falſe colouring of this writer, repreſented as an attempt to aggrandize himſelf, family and friends; and that gentleman, under whoſe adminiſtration the ſeveral parties in the province were as much united and the whole province rendered as happy as it ever was, for ſo long a time together, is called a 'crafty, buſy, ambitious, intriguing, enterprizing man.' This attempt of Governor Shirley, for a parliamentary taxation, is however a circumſtance ſtrongly militating with this writer's hypotheſis; for the approbation ſhewn to the Governor's propoſal by the convention, which conſiſted of perſons from the ſeveral colonies, not inferior in point of diſcernment, integrity, knowledge or patriotiſm to the

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members of our late *grand Congreſs*, and the vote of the New-York aſſembly, furniſh pretty ſtrong evidence that the authority of parliament, even in point of taxation, was not doubted in that day.—Even Dr. Franklin, in the letter alluded to, does not deny the *right*.—His objections go to the *inexpediency* of the meaſure.—He ſuppoſes it would create uneaſineſs in the minds of the coloniſts, ſhould they be thus taxed; unleſs they were previouſly allowed to ſend repreſentatives to parliament. If Dr. Franklin really ſuppoſes, that the Parliament has no conſtitutional right to raiſe a revenue in America, I muſt confeſs myſelf at a loſs to reconcile his conduct in accepting the office of poſt-maſter, and his aſſiduity in increaſing the revenue in that department, to the patriotiſm predicated of him by Novanglus, eſpecially as this unfortunately happens to be an internal tax. This writer tells us, that the plan was interrupted by the war, and afterwards by Governor Pownall's adminiſtration. That Meſſieurs Hutchinſon and Oliver, ſtung with envy at Governor Pownall's favourites, propagated ſlanders reſpecting him to render him uneaſy in his ſeat. My anſwer is this, that he that publiſhes ſuch falſhoods as theſe in a public news-paper, with an air of ſerioufneſs, inſults the underſtanding of the public, more than he injures the individuals he defames. In the next place we are told, that Governor Bernard was the proper man for this purpoſe; and he was employed by the junto to ſuggeſt to the miniſtry the project of taxing the colonies by act of parliament. Sometimes Governor Bernard is the arch enemy of America, the ſource of all our troubles; now, only a tool in the hands of others. I wiſh Novanglus's memory had ſerved him better; his tale might have been conſiſtent with itſelf, however contrary to truth. After making theſe aſſertions with equal gravity and aſſurance, he tells, us he does not advance this without evidence. I had been looking out for evidence a long time, and was all attention when it was promiſed; but my diſappointment was equal to the expectation he had raiſed, when I found the evidence amounted to nothing more than Governor Bernard's letters and principles of

law

law and polity, wherein he aſſerts the ſupremacy of parliament over the colonies both as to legiſlation and taxation. Where this writer got his logic, I do not know. Reduced to a ſyllogiſm, his argument ſtands thus: Governor Bernard, in 1764, wrote and tranſmitted to England certain letters and principles of law and polity, wherein he aſſerts the right of parliament to tax the colonies. Meſſieurs Hutchinſon and Oliver were in uniſon with him in all his meaſures: therefore, Meſſieurs Hutchinſon and Oliver employed Governor Bernard to ſuggeſt to the miniſtry the project of taxing the colonies by act of parliament. The letters and principles are the whole of the evidence; and this is all the appearance of argument contained in his publication. Let us examine the premiſes. That Governor Bernard aſſerted the right of parliament to tax the colonies in 1764, is true. So did Mr. Otis, in a pamphlet he publiſhed the ſelf-ſame year; from which I have already taken an extract In a pamphlet publiſhed in 1765, Mr. Otis tells us, 'it is certain that the parliament of 'Great-Britain hath a juſt, clear, equitable and conſtitu-'tional right, power and authority to bind the colonies by 'all acts wherein they are named. Every lawyer, nay 'every tyro, knows this; no leſs certain is it that the 'parliament of Great-Britain has a juſt and *equitable* right, 'power and authority, to impoſe taxes on the colonies *inter-'nal and external, on lands, as well as on trade.*' But does it follow from Governor Bernard's tranſmitting his principles of polity to four perſons in England, or from Mr. Otis's publiſhing to the whole world ſimilar principles, that either the one or the other ſuggeſted to the miniſtry the project of taxing the colonies by act of parliament? Hardly, ſuppoſing the tranſmiſſion and publication had been prior to the reſolution of parliament to that purpoſe; but very unfortunately for our reaſoner, they were both ſubſequent to it, and were the effect, and not the cauſe.

The hiſtory of the ſtamp-act is this: At the cloſe of the laſt war, which was a native of America, and increaſed the national debt upwards of ſixty millions, it was thought by parliament to be but equitable, that an additional revenue

ſhould be raiſed in America, towards defraying the neceſſary charges of keeping it in a ſtate of defence: A reſolve of this nature was paſſed, and the colonies made acquainted with it through their agents, in 1764, that their aſſemblies might make the neceſſary proviſion if they would. The aſſemblies neglected doing any thing, and the parliament paſſed the ſtamp-act. There is not ſo much as a colourable pretence, that any American had a hand in the matter. Had Governor Bernard, Governor Hutchinſon, or the late Lieutenant-Governor been any way inſtrumental in obtaining the ſtamp-act, it is very ſtrange that not a glimpſe of evidence ſhould ever have appeared, eſpecially when we conſider that their private correſpondence has been publiſhed, letters which were written in the full confidence of unſuſpecting friendſhip. The evidence, as Novanglus calls it, is wretchedly deficient as to fixing the charge upon Governor Bernard; but even admitting that Governor Bernard ſuggeſted to the miniſtry the deſign of taxing, there is no kind of evidence to prove that the junto, as this elegant writer calls the others, approved of it, much leſs that they employed him to do it. But, ſays he, no one can doubt but that Meſſieurs Hutchinſon and Oliver were in uniſon with Governor Bernard, in all his meaſures: This is not a fact; Mr. Hutchinſon diſſented from him reſpecting the alteration of our charter, and wrote to his friends in England to prevent it. Whether Governor Bernard wrote in favour of the ſtamp-act being repealed or not, I cannot ſay, but I know that Governor Hutchinſon did, and have reaſon to think his letters had great weight in turning the ſcale, which hung doubtful a long time, in favour of the repeal. Theſe facts are known to many in the province, whigs as well as tories; yet ſuch was the infatuation that prevailed, that the mob deſtroyed his houſe upon ſuppoſition that he was the patron of the ſtamp-act. Even in the letters wrote to the late Mr. Whately, we find him adviſing a total repeal of the tea-act. It cannot be fairly inferred from perſons intimacy or mutual confidence, that they always approve of each others plans. Meſſieurs Otis, Cuſhing, Hancock and Adams were confidential friends,

friends, and made common cauſe equally with the other gentlemen.—May we thence infer, that the three latter hold that the parliament has a juſt and *equitable right* to impoſe taxes on the colonies? Or, that 'the time may come, when the real intereſt of the whole may require an act of parliament to annihilate all our charters?' For theſe alſo are Mr. Otis's words. Or may we lay it down as a principle to reaſon from, that theſe gentlemen never diſagree reſpecting meaſures? We know they do often, and very materially too. This writer is unlucky both in his principles and inferences: But where is the evidence reſpecting Brigadier Ruggles, Mr Paxton, and the late Judge Ruſſel? He does not produce even the ſhadow of a ſhade. He does not even pretend, that they were inuniſon with Governor Bernard in all his meaſures. In matters of ſmall moment a man may be allowed to amuſe with ingenious fiction; but in perſonal accuſation, in matters ſo intereſting both to the individual and to the public, reaſon and candour require ſomething more than aſſertion without proof, declamation without argument, and cenſure without dignity or moderation: This, however, is characteriſtic of Novanglus. It is the ſtale trick of the whig writers felonioufly to ſtab reputations, when their antagoniſts are invulnerable in their public conduct.

Theſe gentlemen were all of them, and the ſurvivors ſtill continue to be, friends of the Engliſh conſtitution, equally tenacious of the privileges of the people and of the prerogative of the crown, zealous advocates for the colonies continuing their conſtitutional dependence upon Great-Britain, as they think it no leſs the intereſt than the duty of the coloniſts, averſe to tyranny and oppreſſion in all their forms, and always ready to exert themſelves for the relief of the oppreſſed, though they differ materially from the whigs in the mode of obtaining it. They diſcharged the duties of the ſeveral important departments they were called to fill, with equal faithfulneſs and ability; their public ſervices gained them the confidence of the people; real merit drew after it popularity; and their principles, firmneſs and popularity rendered them obnoxious to certain perſons

amongſt us, who have long been indulging themſelves, in the hope of rearing up an American common-wealth upon the ruins of the Britiſh conſtitution. This republican party is of long ſtanding: they lay however, in a great meaſure, dormant for ſeveral years. The diſtruſt, jealouſy and ferment, raiſed by the ſtamp-act, afforded ſcope for action. At firſt they wore the garb of hypocriſy; they profeſſed to be friends to the Britiſh conſtitution in general, but claimed ſome exemptions from their local circumſtances; at length they threw off their diſguiſe, and now ſtand confeſſed to the world in their true characters, AMERICAN REPUBLICANS.—Theſe republicans knew, that it would be impoſſible for them to ſucceed in their darling projects, without firſt deſtroying the influence of theſe adherents to the conſtitution: Their only method to accompliſh it, was by publications charged with falſhood and ſcurrility. Notwithſtanding the favourable opportunity the ſtamp-act gave of impoſing upon the ignorant and credulous, I have ſometimes been amazed to ſee, with how little heſitation ſome ſlovenly bairs were ſwallowed. Sometimes the adherents to the conſtitution were called *miniſterial tools*; at others, king, lords and commons, were the tools of *them*: for almoſt every act of parliament that has been made reſpecting America, in the preſent reign, we are told was draughted in Boſton, or its environs, and only ſent to England to run through the forms of parliament. Such ſtories, however improbable, gained credit; even the fictitious bill, for reſtraining marriages and murdering baſtard children, met with ſome ſimple enough to think it real. He, that readily imbibes ſuch abſurdities, may claim affinity with the perſon, mentioned by Mr. Addiſon, who made it his practice to ſwallow a chimera every morning for breakfaſt. To be more ſerious; I pity the weakneſs of thoſe that are capable of being thus duped, almoſt as much as I deſpiſe the wretch that would avail himſelf of it, to deſtroy private characters and the public tranquillity. By ſuch infamous methods, many of the antient, truſty and ſkilful pilots, who had ſteered the community ſafely in the moſt perilous times, were driven from the helm, and their places occupied by

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different perſons; ſome of whom, bankrupts in fortune, buſineſs and fame, are now ſtriving to run the ſhip on the rocks, that they may have an opportunity of plundering the wreck. The gentlemen, named by Novanglus, have nevertheleſs perſevered, with unſhaken conſtancy and firmneſs, in their patriotic principles and conduct, through a variety of fortune; and have, at preſent, the mournful conſolation of reflecting, that, had their admonitions and counſels been timely attended to, their country would never have been involved in its preſent calamity.

MASSACHUSETTENSIS.

March 6, 1775.

LETTER XIV.

To the Inhabitants of the Province of Maſſachuſetts-Bay.

OUR patriotic writers, as they call each other, eſtimate the ſervices rendered by, and the advantages reſulting from, the colonies in Britain, at a high rate; but allow but little, if any, merit in her towards the colonies. Novanglus would perſuade us, that, excluſive of her aſſiſtance in the laſt war, we have had but little of her ptotection, unleſs it was ſuch as her name alone afforded. Dr. Franklin, when before the houſe of commons, in 1765, denied, that the late war was entered into for the defence of the people in America. The Pennſylvania Farmer tells us, in his letters, that the war was undertaken ſolely for the benefit of Great-Britain, and that, however advantageous the ſubduing or keeping any of theſe countries, viz. Canada, Nova-Scotia and the Floridas may be to Great-Britain, the acquiſition is greatly injurious to theſe colonies; and that the colonies, as conſtantly as ſtreams tend to the ocean, have been pouring the fruits of all their labours into their mother's lap. Thus, they would induce us to believe, that we derive little or no advantage from Great-Britain, and thence they infer the injuſtice, rapacity and cruelty of her conduct towards us. I fully agree with them, that the ſervices rendered by the colonies are great and meritorious: The plantations are addi-

additions to the empire of ineſtimable value: The American market for Britiſh manufactures, the great nurſery for ſeamen formed by our ſhipping, the cultivation of deſerts, and our rapid population, are increaſing and inexhauſtible ſources of national wealth and ſtrength: I commend theſe patriots for their eſtimations of the national advantages accruing from the colonies, as much as I think them deſerving of cenſure for depreciating the advantages and benefits that we derive from Britain. A particular enquiry into the protection afforded us, and the commercial advantages reſulting to us from the parent-ſtate, will go a great way towards conciliating the affections of thoſe, whoſe minds are at preſent unduly impreſſed with different ſentiments towards Great-Britain. The inteſtine commotions, with which England was convulſed and torn, ſoon after the emigration of our anceſtors, probably prevented that attention being given to them in the earlieſt ſtages of this colony, that otherwiſe would have been given. The principal difficulties, that the adventurers met with, after the ſtruggle of a few of the firſt years were over, were the incurſions of the French and Savages conjointly, or of the latter inſtigated and ſupported by the former. Upon a repreſentation of this to England, in the time of the interregnum, Acadia, which was then the principal ſource of our diſquietude, was reduced by an Engliſh armament. At the requeſt of this colony, in Queen Anne's reign, a fleet of fifteen men of war, beſides tranſports, troops, &c. was ſent to aſſiſt us in an expedition againſt Canada; the fleet ſuffered ſhipwreck, and the attempt proved abortive. It ought not to be forgotten, that the ſiege of Louiſbourg, in 1745, by our own forces, was covered by a Britiſh fleet of ten ſhips, four of 60 guns, one of fifty, and five of 40 guns, beſides the Vigilant of ſixty-four, which was taken during the ſiege, as ſhe was attempting to throw ſupplies into the garriſon. It is not probable, that the expedition would have been undertaken without an expectation of ſome naval aſſiſtance, or that the reduction could have been effected without it. In January, 1754, our aſſembly, in a meſſage to Governor Shirley, prayed him to repreſent to the King,

'that

'that the French had made ſuch extraordinary encroachments, and taken ſuch meaſures, ſince the concluſion of the preceding war, as threatened great danger, and perhaps, in time, even the intire deſtruction of this province, without the interpoſition of his Majeſty, notwithſtanding any proviſion we could make to prevent it:'----'That the French had erected a fort on the iſthmus of the peninſula near Bay Vert, in Nova-Scotia, by means of which they maintained a communication by ſea with Canada, St. John's Iſland, and Louiſbourg:—'That near the mouth of St. John's river the French had poſſeſſed themſelves of two forts, formerly built by them, one of which was garriſoned by regular troops, and had erected another ſtrong fort at twenty leagues up the river, and that theſe encroachments might prove faral not only to the eaſtern parts of his Majeſty's territories within this province, but alſo, in time, to the whole of this province, and the reſt of his Majeſty's territories on this continent:'—'That whilſt the French held Acadia under the treaty of St. Germain, they ſo cut off the trade of this province, and galled the inhabitants with incurſions into their territories, that OLIVER CROMWELL found it neceſſary, for the ſafety of New-England, to make a deſcent by ſea into the river of St. John, and diſpoſſeſs them of that and all the forts in Acadia.—That Acadia was reſtored to the French by the treaty of Breda, in 1667:'—That this colony felt again the ſame miſchievous effects from their poſſeſſing it, inſomuch, that after forming ſeveral expeditions againſt it, the inhabitants were obliged, in the latter end of the war in Queen Anne's reign, to repreſent to her Majeſty, how deſtructive the poſſeſſion of the Bay of Fundy and Nova-Scotia, by the French, was to this province and the Britiſh trade; whereupon the Britiſh miniſtry thought it neceſſary to fit out a *formal expedition againſt that province with Engliſh troops*, and a conſiderable armament of our own, under General Nicholſon, by which it was again reduced to the ſubjection of the crown of Great-Britain:—'That we were then, viz. in 1754, liable to feel more miſchievous effects than we had ever yet done, unleſs his Majeſty ſhould be

pleaſed

pleaſed to cauſe them to be removed.' They alſo remonſtrated our danger from the encroachments of the French at Crown Point. — In April, 1754, the Council and Houſe repreſented, 'That it evidently appeared, that the French were far advanced in the execution of a plan projected more than fifty years ſince, for the extending their poſſeſſions from the mouth of the Miſſiſſippi on the ſouth, to Hudſon's Bay on the north, for ſecuring the vaſt body of Indians in that inland country, and for ſubjecting the whole continent to the crown of France:'—'That many circumſtances gave them great advantages over us, which, if not attended to, would ſoon overbalance our ſuperiority of numbers; and that theſe diſadvantages could not be removed without his Majeſty's gracious interpoſition.'

The Aſſembly of Virginia, in an addreſs to the King, repreſented, 'That the endeavour of the French to eſtabliſh a ſettlement upon the frontiers, was a high inſult offered to his Majeſty, and, if not timely oppoſed with vigour and reſolution, muſt be attended with the moſt fatal conſequences,' and prayed his Majeſty to extend his royal beneficence towards them.

The commiſſioners, who met at Albany the ſame year, repreſented, 'that it was the evident deſign of the French to ſurround the Britiſh colonies; to fortify themſelves on the back thereof; to take and keep poſſeſſion of the heads of all the important rivers; to draw over the Indians to their intereſt, and with the help of ſuch Indians, added to ſuch forces as were then arrived, and might afterwards arrive, or be ſent from Europe, to be in a capacity of making a general attack on the ſeveral governments; and if at the ſame time a ſtrong naval force ſhould be ſent from France, there was the utmoſt danger that the whole continent would be ſubjected to that crown: and that it ſeemed abſolutely neceſſary, that ſpeedy and effectual meaſures ſhould be taken to ſecure the colonies from the *ſlavery* they were threatened with.'

We did not pray in vain. Great-Britain, ever attentive to the *real grievances* of her colonies, haſtened to our relief with maternal ſpeed. She covered our ſeas with her ſhips,

ſhips, and ſent forth the braveſt of her ſons to fight our battles. They fought, they bled, and conquered with us. Canada, Nova-Scotia, the Floridas, and all our American foes, were laid at our feet. It was a dear-bought victory; the wilds of America were ſaturated with the blood of the noble and the brave.

The war, which, at our requeſt, was thus kindled in America, ſpread through the four quarters of the globe, and obliged Great-Britain to exert her whole force and energy to ſtop the rapid progreſs of its devouring flames.

To theſe inſtances of actual exertions for our immediate protection and defence, ought to be added the fleets ſtationed on our coaſt, and the convoys and ſecurity afforded to our trade and fiſhery in times of war; and her maintaining, in times of peace, ſuch a navy and army, as to be always in readineſs to give protection, as exigencies may require; and her ambaſſadors, reſiding at foreign courts, to watch and give the earlieſt intelligence of their motions. By ſuch precautions, every part of her wide extended empire enjoys as ample ſecurity as human power and policy can afford. Thoſe neceſſary precautions are ſupported at an immenſe expence; and the colonies reap the benefit of them equally with the reſt of the empire. To theſe conſiderations it ſhould likewiſe be added, that whenever the colonies have exerted themſelves in a war, though in their own defence, to a greater degree than their proportion with the reſt of the empire, they have been reimburſed by the parliamentary grants: This was the caſe, in the laſt war, with this province.

From this view, which I think is an impartial one, it is evident, that Great-Britain is not leſs attentive to our intereſt than her own; and that her ſons, who have ſettled on new and diſtant plantations, are equally dear to her with thoſe that cultivate the antient domain, and inhabit the manſion-houſe.

MASSACHUSETTENSIS.

March 13, 1775.

LETTER XV.

To the Inhabitants of the Province of Maſſachuſetts-Bay.

THE outlines of Britiſh commerce have been heretofore ſketched; and the intereſts of each part in particular, and of the whole empire conjointly, have been ſhewn to be the principles by which the grand ſyſtem is poized and balanced. Whoever will take upon himſelf the trouble of reading and comparing the ſeveral acts of trade which reſpect the colonies, will be convinced, that the cheriſhing their trade and promoting their intereſt have been the objects of parliamentary attention equally with thoſe of Britain. He will ſee, that the great council of the empire has ever eſteemed our proſperity as inſeparable from the Britiſh; and if, in ſome inſtances, the colonies have been reſtricted to the emolument of other parts of the empire, they in their turn, not excepting England itſelf, have been alſo reſtricted ſufficiently to reſtore the balance, if not to cauſe a preponderation in our favour.

Permit me to tranſcribe a page or two from a pamphlet, written in England, and lately republiſhed here, wherein this matter is ſtated with great juſtice and accuracy.

'The people of England and the American adventurers being ſo differently circumſtanced, it required no great ſagacity to diſcover, that as there were many commodities which America could ſupply on better terms than they could be raiſed in England, ſo muſt it be much more for the colonies' advantage to take others from England, than attempt to make them themſelves. The American lands were cheap, covered with woods, and abounded with native commodities. The firſt attention of the ſettlers was neceſſarily engaged in cutting down the timber, and clearing the ground for culture; for before they had ſupplied themſelves with proviſions, and had hands to ſpare from agriculture, it was impoſſible they could ſet about manufacturing. England, therefore, undertook to ſupply them with manufactures, and either purchaſed herſelf or found markets for the

timber

'timber, the coloniſts cut down upon their lands, or the
'fiſh they caught upon their coaſts. It was ſoon diſco-
'vered that the tobacco plant was a native of, and flou-
'riſhed in, Virginia. It had been alſo planted in Eng-
'land, and was found to delight in the ſoil. The legiſ-
'lature however, wiſely and equitably conſidering that
'England had variety of products, and Virginia had no
'other to buy her neceſſaries with, paſſed an act prohi-
'biting the people of England from planting tobacco,
'and thereby giving the monopoly of that plant to the
'colonies. As the inhabitants increaſed, and the lands
'became more cultivated, further and new advantages
'were thrown in the way of the American colonies.
'All foreign markets, as well as Great-Britain, were
'open for their timber and proviſions; and the Britiſh
'Weſt-India iſlands were prohibited from purchaſing
'thoſe commodities from any other than them. And
'ſince England has found itſelf in danger of wanting a
'ſupply of timber, and it has been judged neceſſary to con-
'fine the export from America to Great-Britain and
'Ireland, full and ample indemnity has been given to the
'colonies for the loſs of a choice of markets in Europe, by
'very large bounties paid out of the revenue of Great-
'Britain, upon the importation of American timber. And
'as a further encouragement and reward to them for clear-
'ing their lands, bounties are given upon tar and pitch,
'which are made from their decayed and uſeleſs trees;
'and the very aſhes of their lops and branches are made
'of value by the late bounty on American potaſhes.
'The ſoil and climate of the northern colonies having
'been found well adapted to the culture of flax and
'hemp, bounties, equal to half the firſt coſt of thoſe
'commodities, have been granted by parliament, payable
'out of the Britiſh revenue, upon their importation in-
'to Great-Britain. The growth of rice in the ſouthern
'colonies has been greatly encouraged, by prohibiting
'the importation of that grain into the Britiſh domin-
'ons from other parts, and allowing it to be tranſported
'from the colonies to the foreign territories in America,

'and even to the ſouthern parts of Europe. Indigo has 'been nurtured in thoſe colonies by great parliamentary 'bounties, which have been long paid upon the importa-'tion into Great-Britain, and of late are allowed to re-'main, even when it is carried out again to foreign mar-'kets. Silk and wine have alſo been objects of parlia-'mentary munificence, and will one day probably be-'come conſiderable American products, under that en-'couragement. In which of theſe inſtances, it may be 'demanded, has the legiſlature ſhewn itſelf partial to the 'people of England and unjuſt to the colonies? Or where-'in have the colonies been injured? We hear much of 'the reſtraints under which the trade of the colonies is laid 'by acts of parliament for the advantage of Great-Britain, 'but the reſtraints under which the people of Great-Britain 'are laid by acts of parliament, for the advantage of the 'colonies, are carefully kept out of ſight;---and yet, upon 'a compariſon, the one will be found full as grievous as 'the other.---For is it a greater hardſhip on the colonies, 'to be confined in ſome inſtances to the markets of Great-'Britain for the ſale of their commodities, than it is on the 'people of Great-Britain to be obliged to buy the commo-'dities from them only? If the iſland colonies are obliged 'to give the people of Great-Britain the pre-emption of 'their ſugar and coffee; is it not a greater hardſhip on the 'people of Great-Britain to be reſtrained from purchaſing 'ſugar and coffee from other countries, where they could 'get them much cheaper than the colonies make them pay 'for them? Could not our manufacturers have indigo 'much better and cheaper from France and Spain than 'from Carolina? And yet is there not a duty impoſed by 'acts of parliament on French and Spaniſh indigo, that it 'may come to our manufacturers at a dearer rate than Ca-'rolina indigo, though a bounty is alſo given out of *the* '*money* of the people of England to the Carolina planter, 'to enable him to ſell his indigo upon a *par* with the French 'and Spaniſh? But the inſtance which has been already 'taken notice of, the act which prohibits the culture of 'the tobacco plant in Great-Britain or Ireland, is ſtill more

'in

'in point, and a more ſtriking proof of the juſtice and im-
'partiality of the ſupreme legiſlature: for what reſtraints,
'let me aſk, are the colonies laid under, which bear ſuch
'ſtrong marks of hardſhip, as prohibiting the farmers in
'Great-Britain and Ireland from raiſing, upon their own
'lands, a product which is become almoſt a neceſſary of
'life to them and their families? And this moſt extraor-
'dinary reſtraint is laid upon them, for the avowed and ſole
'purpoſe of giving Virginia and Maryland a monopoly of
'that commodity, and obliging the people of Great-Bri-
'tain and Ireland to buy all the tobacco they conſume,
'from them, at the prices they think fit to ſell it for. The
'annals of no country, that ever planted colonies, can pro-
'duce ſuch an inſtance as this of regard and kindneſs to their
'colonies, and of reſtraint upon the inhabitants of the mo-
'ther-country for their advantage. Nor is there any reſtraint
'laid upon the inhabitants of the colonies in return, which
'carries in it ſuch great appearance of hardſhip, although the
'people of Great-Britain and Ireland have, from their regard
'and affection to the colonies, ſubmitted to it without a mur-
'mur for near a century.' For a more particular inquiry, let me recommend the peruſal of the pamphlet itſelf, and alſo of another pamphlet lately publiſhed, entitled, 'the 'advantages which America derives from her commerce, 'connection and dependence on Great-Britain.'

A calculation has lately been made both of the amount of the revenue ariſing from the duties with which our trade is at preſent charged, and of the bounties and encouragement paid out of the Britiſh revenue upon articles of American produce imported into England; *and the latter is found to exceed the former more than four-fold.* This does not look like a partiality to our diſadvantage:—However, there is no ſurer method of determining whether the colonies have been oppreſſed by the laws of trade and revenue, than by obſerving their effects.

From what ſource has the *wealth* of the colonies flowed? Whence is it derived? Not from agriculture only. Excluſive of commerce, the coloniſts would this day have been a poor people, poſſeſſed of little more than the neceſſaries for

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ſupporting life; of courſe their numbers would be few; for population always keeps pace with the ability of maintaining a family: there would have been but little or no reſort of ſtrangers here; the arts and ſciences would have made but ſmall progreſs; the inhabitants would rather have degenerated into a ſtate of ignorance and barbarity. Or had Great-Britain laid ſuch reſtrictions upon our trade, as our patriots would induce us to believe, that is, had we been pouring the fruits of all our labour into the lap of our parent, and been enriching her by the ſweat of our brow, without receiving an equivalent; the patrimony derived from our anceſtors muſt have dwindled from little to leſs, till their poſterity ſhould have ſuffered a general bankruptcy.

But how different are the effects of our connection with, and ſubordination to Britain? They are too ſtrongly marked to eſcape the moſt careleſs obſerver. Our merchants are opulent, and our yeomanry in eaſier circumſtances than the nobleſſe of ſome ſtates: Population is ſo rapid as to double the number of inhabitants in the ſhort period of twenty-five years: Cities are ſpringing up in the depths of the wilderneſs: Schools, colleges, and even univerſities, are interſperſed through the continent: Our country abounds with foreign refinements, and flows with exotic luxuries. Theſe are infallible marks, not only of *opulence*, but of *freedom*. The recluſe may ſpeculate—the envious repine—the diſaffected calumniate;—all theſe may combine to create fears and jealouſies in the minds of the multitude, and keep them in alarm from the beginning to the end of the year; but ſuch evidence as this muſt for ever carry conviction with it to the minds of the diſpaſſionate and judicious.

Where are the traces of ſlavery, that our patriots would terrify us with? The effects of ſlavery are as glaring and obvious in thoſe countries that are curſed with its abode, as the effects of war, peſtilence, or famine. Our land is not diſgraced by the wooden ſhoes of France, or the uncombed hair of Poland: We have neither racks nor inquiſitions, tortures nor aſſaſſinations: The mildneſs of

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our criminal juriſprudence is proverbial, '*a man muſt have* '*many friends to get hanged in New-England.*' Who has been arbitrarily impriſoned, diſſeized of his freehold, or deſpoiled of his goods? Each peaſant, that is induſtrious, may acquire an eſtate, enjoy it in his life-time, and at his death tranſmit a fair inheritance to his poſterity. The proteſtant religion is eſtabliſhed, as far as human laws can eſtabliſh it. My dear friends, let me aſk each one, whether he has not enjoyed every bleſſing that is in the power of civil government to beſtow? And yet the parliament has, from the earlieſt days of the colonies, claimed the lately controverted right both of legiſlation and taxation, and for more than a century has been in the exerciſe of it. There is no grievous exerciſe of that right at this day, unleſs the meaſures taken to prevent our revolting may be called grievances. Are we then to rebel, leſt there ſhould be grievances? Are we to take up arms and make war againſt our parent, leſt that parent, contrary to the experience of a century and a half, contrary to her own genius, inclination, affection, and intereſt, ſhould treat us or our poſterity as baſtards and not as ſons, and inſtead of protecting ſhould *enſlave* us? The annals of the world have not yet been deformed with a ſingle inſtance of ſo unnatural, ſo cauſeleſs, ſo wanton, ſo wicked, a rebellion.

There is but a ſtep between you and ruin; and ſhould our patriots ſucceed in their endeavours to urge you on to take that ſtep, and hoſtilities actually commence, New-England will ſtand recorded a ſingular monument of human folly and wickedneſs. I beg leave to tranſcribe a little from the Farmer's letters:—'Good Heaven! Shall 'a total oblivion of former tenderneſſes and bleſſings be 'ſpread over the minds of a good and wiſe people, by the 'ſordid arts of intriguing men, who, covering their ſelfiſh 'projects under pretences of public good, firſt enrage 'their country-men into a frenzy of paſſion which they 'themſelves have excited?' When cool diſpaſſionate poſterity ſhall conſider the affectionate intercourſe, the reciprocal benefits, and the unſuſpecting confidence, that have ſubſiſted between theſe colonies and their parent

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ſtate for ſuch a length of time; they will execrate, with the bittereſt curſes, the infamous memory of thoſe men, whoſe ambition, unneceſſarily, wantonly, cruelly, firſt opened the ſources of civil diſcord.

MASSACHUSETTENSIS.

March 20, 1775.

LETTER XVI.

To the Inhabitants of the Province of Maſſachuſetts-Bay.

OUR patriots exclaim, That humble and reaſonable petitions from the repreſentatives of the people have been frequently treated with contempt. This is as virulent a libel upon his Majeſty's government, as falſhood and ingenuity combined could fabricate. Our humble and reaſonable petitions have not only been ever graciouſly received, when the eſtabliſhed mode of exhibiting them has been obſerved, but generally granted. Applications of a different kind have been treated with neglect, though not always with the contempt they deſerved. Theſe either originated in illegal aſſemblies, and could not be received without implicitly countenancing ſuch enormities, or contained ſuch matter, and were conceived in ſuch terms, as to be at once an inſult to his Majeſty and a libel on his government. Inſtead of being decent remonſtrances againſt real grievances, or prayers for their removal, they were inſidious attempts to wreſt from the crown, or the ſupreme legiſlature, their inherent, unalienable prerogatives or rights.

We have a recent inſtance of this kind of petition, in the application of the continental congreſs to the King, which ſtarts with theſe words: 'A ſtanding army has been kept in theſe colonies ever ſince the concluſion of the late war, *without the conſent of our aſſemblies.*' This is a denial of the King's authority to ſtation his military forces in ſuch parts of the empire, as his Majeſty may judge expedient for the common ſafety. They might with equal propriety have advanced one ſtep further, and denied its being a prerogative of the crown to declare war, or conclude a peace

peace by which the colonies ſhould be affected, without the conſent of our aſſemblies. Such petitions carry the marks of death in their faces, as they cannot be granted but by ſurrendering ſome conſtitutional right at the ſame time; and therefore they afford grounds for ſuſpicion at leaſt, that they were never intended to be granted, but to irritate and provoke the power petitioned to. It is one thing to remonſtrate the inexpediency or inconveniency of a particular act of the prerogative, and another to deny the exiſtence of the prerogative. It is one thing to complain of the inutility or hardſhip of a particular act of parliament, and quite another to deny the authority of parliament to make any act. Had our patriots confined themſelves to the former, they would have acted a part conformable to the character they aſſumed, and merited the encomiums they arrogate.

There is not one act of parliament that reſpects us, but would have been repealed upon the legiſlators being convinced that it was oppreſſive; and ſcarcely one, but would have ſhared the ſame fate, upon a repreſentation of its being generally diſguſtful to America. But, by adhering to the latter, our politicians have ignorantly or wilfully betrayed their country. Even when Great-Britain has relaxed in her meaſures, or appeared to recede from her claims, inſtead of manifeſtations of gratitude, our politicians have riſen in their demands, and ſometimes to ſuch a degree of inſolence, as to lay the Britiſh government under a neceſſity of perſevering in its meaſures to preſerve its honor.

It was my intention, when I began theſe papers, to have minutely examined the proceedings of the continental congreſs; as the delegates appear to me to have given their country a deeper wound, than any of their predeceſſors had inflicted, and I pray God it may not prove an incurable one; but am in ſome meaſure anticipated by Grotius, Phileareine, and the many pamphlets that have been publiſhed, and ſhall therefore confine my obſervations to ſome of its moſt ſtriking and characteriſtic features.

A congreſs or convention of committees from the ſeveral colonies, conſtitutionally appointed by the ſupreme autho-

rity of the ſtate, or by the ſeveral provincial legiſlatures, amenable to and controlable by the power that convened them, would be ſalutary in many ſuppoſable caſes: Such was the convention of 1754; but a congreſs, otherwiſe appointed, muſt be an unlawful aſſembly, wholly incompatible with the conſtitution, and dangerous in the extreme; more eſpecially as ſuch aſſemblies will ever chiefly conſiſt of the moſt violent partizans. The Prince or Sovereign, as ſome writers call the ſupreme authority of a ſtate, is ſufficiently ample and extenſive to provide a remedy for every wrong in all poſſible emergencies and contingencies; conſequently, a power that is not derived from ſuch authority, ſpringing up in a ſtate, muſt encroach upon it; and in proportion as the uſurpation inlarges itſelf, the rightful prince muſt be diminiſhed: indeed they cannot long ſubſiſt together, but muſt continually militate till one or the other be deſtroyed. Had the continental congreſs conſiſted of committees from the ſeveral houſes of aſſembly, although deſtitute of the conſent of the ſeveral governors, they would have had ſome appearance of authority; but many of them were appointed by other committees, as illegally conſtituted as themſelves. However, at ſo critical and delicate a juncture, Great-Britain being alarmed with an apprehenſion that the colonies were aiming at independence on the one hand, and the colonies apprehenſive of grievous impoſitions and exactions from Great-Britain on the other; many real patriots imagined that a congreſs might be eminently ſerviceable, as they might prevail on the Boſtonians to make reſtitution to the Eaſt-India company, might ſtill the commotions in this province, remove any ill-founded apprehenſions reſpecting the colonies, and propoſe ſome plan for a cordial and permanent reconciliation, which might be adopted by the ſeveral aſſemblies, and make its way through them to the ſupreme legiſlature. Placed in this point of light, many good men viewed it with an indulgent eye; and tories, as well as whigs, bade the delegates God ſpeed.

The path of duty was too plain to be overlooked; but unfortunately ſome of the moſt influential of the members were

were the very perſons, that had been the *wilful* cauſe of the evils they were expected to remedy. Fiſhing in troubled waters had long been their buſineſs and delight; and they deprecated nothing more than that the ſtorm, they had blown up, ſhould ſubſide. They were old in intrigue, and would have figured in a conclave. The ſubtilty, hypocriſy, cunning and chicanery, habitual to ſuch men, were practiſed with as much ſucceſs in this, as they had been before in other popular aſſemblies.

Some of the members, of the firſt rate abilities and characters, endeavoured to confine the deliberations and reſolves of the congreſs to the deſign of its inſtitution, which was 'to reſtore peace, harmony and mutual confi-'dence,' but were obliged to ſubmit to the intemperate zeal of ſome, and at length were ſo circumvented and wrought upon by the artifice and duplicity of others, as to lend the ſanction of their names to ſuch meaſures as they condemned in their hearts. See a pamphlet publiſhed by one of the delegates intitled, *A candid examination*, &c.

The Congreſs could not be ignorant of what every body elſe knew that their appointment was repugnant to, and inconſiſtent with, every idea of government, and therefore they wiſely determined to deſtroy it. Their firſt eſſay that tranſpired, and which was matter of no leſs grief to the friends of our country than of triumph to its enemies, was the ever-memorable reſolve approving and adopting the *Suffolk reſolves*, thereby undertaking to give a continental ſanction to a forcible oppoſition to acts of parliament, ſhutting up the courts of juſtice, and thereby abrogating all human laws, ſeizing the King's provincial revenue, raiſing forces in oppoſition to the King's, and all the tumultuary violence, with which this unhappy province has been rent aſunder.

This fixed the complexion and marked the character of the congreſs. We were therefore but little ſurprized when it was announced, that, as far as was in their power, they had diſmembered the colonies from the parent-country. This they did by reſolving, that 'the coloniſts are entitled

'to an excluſive power of legiſlation in their ſeveral pro-'vincial legiſlatures.' This ſtands in its full force, and is an abſolute denial of the authority of parliament reſpecting the colonies.

Their ſubjoining that '*from neceſſity* they conſent to the '*operation* (not the authority) of ſuch acts of the *Britiſh* 'parliament as *are* (not ſhall be) *bonâ fide* reſtrained to ex-'ternal commerce,' is ſo far from weakening their firſt principle that it ſtrengthens it, and extends to the acts of trade. This reſolve is a manifeſt revolt from the Britiſh empire.—Conſiſtent with it, is their overlooking the ſupreme legiſlature, and addreſſing the inhabitants of Great-Britain, in the ſtyle of a manifeſto, in which they flatter, complain, coax, and threaten alternately: Their prohibiting all commercial intercourſe between the two countries; with equal propriety and juſtice, the congreſs might have declared war againſt Great-Britain, and they intimate that they might juſtly do it, and actually ſhall, if the meaſures already taken prove ineffectual; for in the addreſs to the colonies, after attempting to enrage their countrymen, by every colouring and heightening in the power of language, to the utmoſt pitch of frenzy, they ſay, 'the ſtate of theſe 'colonies would certainly juſtify *other* meaſures than we 'have adviſed; we were inclined to offer *once more* to his '*Majeſty* the petition of his faithful and oppreſſed ſubjects 'in America;' and then they admoniſh the coloniſts to 'extend their views to *mournful events*, and to be in all reſpects 'prepared for every contingency.'

This is treating Great-Britain as an alien-enemy; and if Great-Britain be ſuch, it is juſtifiable by the law of nations: but their attempt to alienate the affections of the inhabitants of the new conquered province of Quebec from his majeſty's government, is altogether unjuſtifiable, even upon that principle. In the truly jeſuitical addreſs to the Canadians, the congreſs endeavour to ſeduce them from their allegiance, and to prevail on them to join the confederacy. After inſinuating that they had been tricked, duped, oppreſſed and enſlaved by the Quebec bill, the congreſs exclaim, 'Why this degrading diſtinction? Have not Cana-

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'dians ſenſe enough to attend to any other public affairs 'than gathering ſtones at one place and piling them up in 'another? Unhappy people! who are not only injured, 'but *inſulted.*' 'Such a treacherous ingenuity has been 'exerted in drawing up the code lately offered you, that 'every ſentence, beginning with a benevolent pretenſion, 'concludes with a deſtructive power; and the ſubſtance 'of the whole, diveſted of its ſmooth words, is, that the '*crown* and its miniſters ſhall be as abſolute throughout 'your extended province, as the *deſpots of Aſia or Africa.* 'We defy you, caſting your view upon every ſide, to diſ-'cover a ſingle circumſtance promiſing, from any quarter, 'the faintest hope of liberty to you or your poſterity, but 'from an entire adoption into the union of theſe colonies.' The treachery of the congreſs in this addreſs is the more flagrant, by the Quebec bill's having been adapted to the genius and manners of the Canadians, formed upon their own petition, and received with every teſtimonial of gratitude. The public tranquillity has been often diſturbed by treaſonable plots and conſpiracies. Great Britain has been repeatedly deluged by the blood of its ſlaughtered citizens, and ſhaken to its centre by rebellion.—To offer ſuch aggravated inſult to Britiſh government, was reſerved for the *grand continental congreſs.* None but ideots or madmen, could ſuppoſe ſuch meaſures had a tendency to reſtore 'union 'and harmony between Great-Britain and the colonies:' Nay! The very demands of the congreſs evince, that *that* was not in their intention.—Inſtead of confining themſelves to thoſe acts, which occaſioned the miſunderſtanding, they demand a repeal of fourteen, and bind the colonies by a law not to trade with Great-Britain until that ſhall be done. Then, and not before, the coloniſts are to treat Great-Britain as an alien friend, and in no other light is the parent-country ever after to be viewed; for the parliament is to furceaſe enacting laws to reſpect us for ever. Theſe demands are ſuch as cannot be complied with, conſiſtent with either the honor or intereſt of the empire, and are therefore inſuperable obſtacles to a union by means of the congreſs.

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The delegates erecting themſelves into the States-General or ſupreme legiſlature of all the colonies from *Nova-Scotia* to *Georgia*, do not leave a doubt reſpecting their aiming, in good earneſt, at independency: This they did by enacting laws.—Although they recognize the authority of the ſeveral provincial legiſlatures, yet they conſider their own authority as paramount or ſupreme; otherwiſe they would not have acted deciſively, but ſubmitted their plans to the final determination of the aſſemblies. Sometimes indeed they uſe the terms *requeſt* and *recommend*; at others they ſpeak in the ſtyle of authority.—Such is the reſolve of the 27th of September: 'Reſolved, from and after the 'firſt day of December next, there be no importation into 'Britiſh America from Great-Britain or Ireland of any 'goods, wares, or merchandize whatſoever, or from any 'other place of any ſuch goods, wares or merchandize 'as ſhall have been exported from Great-Britain or Ire-'land, and that no ſuch goods, wares or merchandize, im-'ported after the ſaid firſt day of December next, be uſed 'or purchaſed.' October 15, the congreſs reſumed the conſideration of the plan for carrying into effect, the non-importation, &c. October 20, the plan is compleated, determined upon, and ordered to be ſubſcribed by all the members: They call it an aſſociation, but it has all the conſtituent parts of a law. They begin,—'We his Majeſty's moſt loyal ſubjects, the delegates of the 'ſeveral colonies of, &c. deputed to *repreſent them* in a 'continental congreſs,' and agree for themſelves and the inhabitants of the ſeveral colonies whom they repreſent, not to import, export, or conſume, &c. as alſo to obſerve ſeveral ſumptuary regulations under certain penalties and forfeitures, and that a committee be choſen in every county, city, and town, by thoſe who are qualified to vote as repreſentatives in the legiſlature, to ſee that the aſſociation be obſerved and kept, and to puniſh the violaters of it; and, afterwards, 'recommended it to the provincial 'conventions, and to the committees in the reſpective 'colonies, to eſtabliſh ſuch further regulations as they may 'think proper, for carrying into execution the aſſociation.'

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Here we find the congreſs enacting laws,—that is, eſtabliſhing, as the repreſentatives of the people, certain rules of conduct to be obſerved and kept by all the inhabitants of theſe colonies, under certain pains and penalties,—ſuch as maſters of veſſels being diſmiſſed from their employment;—goods to be ſeized and ſold at auction, and the firſt coſt only returned to the proprietor, a different appropriation made of the overplus;—perſons being ſtigmatized in the gazette, as enemies to their country, and excluded the benefits of ſociety, &c.

The congreſs ſeem to have been apprehenſive, that ſome ſqueamiſh people might be ſtartled at their aſſuming the powers of legiſlation, and therefore, in the former part of their aſſociation, ſay, they bind themſelves and conſtituents under the ſacred ties of virtue, honor, and love to their country, afterwards eſtabliſh penalties and forfeitures, and conclude by ſolemnly binding themſelves and conſtituents under the ties aforeſaid, which include them all.—This looks like artifice:—But they might have ſpared themſelves that trouble, for every law is or ought to be made under the ſacred ties of virtue, honor, and a love to the country, expreſſed or implied, though the penal ſanction be alſo neceſſary. In ſhort, were the colonies diſtinct ſtates, and the powers of legiſlation veſted in delegates thus appointed, their aſſociation would be as good a form of enacting laws as could be deviſed.

By their aſſuming the powers of legiſlation, the congreſs have not only ſuperſeded our provincial legiſlatures, but have excluded every idea of monarchy; and, not content with the havock already made in our conſtitution, in the plenitude of their power, they have appointed another congreſs to be held in May.

Thoſe that have attempted to eſtabliſh new ſyſtems have generally taken care to be conſiſtent with themſelves. Let us compare the ſeveral parts of the continental proceedings with each other.

The delegates call themſelves and conſtituents, 'his 'Majeſty's moſt loyal ſubjects;' his Majeſty's moſt faithful ſubjects affirm, that the coloniſts are entitled 'to all

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'the immunities and privileges granted and confirmed to 'them by royal charters,' declare that they 'wiſh not a 'diminution of the prerogative, nor ſolicit the grant of any 'new right or favour,' and that they 'ſhall always care- 'fully and zealouſly endeavour to ſupport his royal autho- 'rity, and our connection with Great-Britain;'—yet they deny the King's prerogative to ſtation troops in the colonies, diſown him in the capacity in which he granted the provincial charters; diſclaim the authority of the King in parliament; and undertake to enact and execute laws, without any authority derived from the crown. This is diſſolving all connection between the colonies and the crown, and giving us a new King, altogether incomprehenſible, not indeed from the infinity of his attributes, but from a privation of every royal prerogative, and not leaving even the ſemblance of a connection with Great-Britain.

They declare, that the coloniſts 'are entitled to all the 'rights, liberties and immunities of free and natural born 'ſubjects within the realm of England,' and 'all the be- 'nefits ſecured to the ſubject by the Engliſh conſtitution,' but diſclaim all obedience to Britiſh government; — in other words, they claim the protection, and diſclaim the allegiance. They remonſtrate as a grievance, that 'both 'houſes of parliament have reſolved, that the coloniſts may 'be tried in England for offences alledged to have been 'committed in America, by virtue of a ſtatute paſſed in 'the thirty-fifth year of Henry the eighth;'—and yet reſolve, that they are entitled to the benefit of ſuch Engliſh ſtatutes as exiſted at the time of their colonization, and are applicable to their ſeveral local and other circumſtances. They reſolve that the coloniſts are entitled to a free and *excluſive* power of legiſlation in their ſeveral provincial aſſemblies;—yet undertake to *legiſlate in congreſs.*

The immutable laws of nature, the principles of the Engliſh conſtitution, and our ſeveral charters, are the baſis upon which they pretend to found themſelves, and complain more eſpecially of being deprived of trials by juries; —but eſtabliſh ordinances incompatible with either the laws of nature, the Engliſh conſtitution, or our charter; —and

—and appoint committees to puniſh the violaters of them, not only without a jury, but even without a form of trial.

They repeatedly complain of the Roman Catholic religion being eſtabliſhed in Canada, and, in their addreſs to the Canadians, aſk, 'if liberty of conſcience be offered 'them *in their religion* by the Quebec bill,' and anſwer, 'no; God gave it to you, and the temporal powers, with 'which you have been and are connected, firmly ſtipulated 'for your enjoyment of it. If laws *divine* and *human* could 'ſecure it againſt the deſpotic caprices of wicked men, it 'was ſecured before.'

They ſay to the people of Great-Britain, 'place us in 'the ſame ſituation that we were in at the cloſe of the laſt 'war, and our harmony will be reſtored.' Yet ſome of the principal grievances, which are to be redreſſed, exiſted long before that æra, viz. the King's keeping a ſtanding army in the colonies;—judges of admiralty receiving their fees, &c. from the effects condemned by themſelves;—councillors holding commiſſions during pleaſure; exerciſing legiſlative authority;—and the capital grievance of all, the parliament claiming and exerciſing over the colonies a right of taxation. However, the *wiſdom* of the grand continental congreſs may reconcile theſe ſeeming inconſiſtences.

Had the delegates been appointed to deviſe means to irritate and enrage the inhabitants of the two countries, againſt each other, beyond a poſſibility of reconciliation, to aboliſh our equal ſyſtem of juriſprudence, and eſtabliſh a judicatory as arbitrary as the Roman inquiſition, to perpetuate animoſities among ourſelves, to reduce thouſands from affluence to poverty and indigence—to injure Great-Britain, Ireland, the Weſt-Indies and theſe colonies—to attempt a revolt from the authority of the empire—and finally to draw down upon the colonies the whole vengeance of Great-Britain;—more promiſing means to effect the whole could not have been deviſed than thoſe the congreſs have adopted.—Any deviation from their plan would have been treachery to their conſtituents, and an abuſe of the truſt and confidence repoſed in them. Some idolaters have

attributed to the congreſs the collected wiſdom of the continent. It is nearer the truth to ſay, that every particle of diſaffection, petulance, ingratitude and diſloyalty, that for ten years paſt have been ſcattered through the continent, were united and conſolidated in them. Are theſe thy Gods, O Iſrael!

MASSACHUSETTENSIS.

March 27, 1775.

LETTER XVII.

To the Inhabitants of the Province of Maſſachuſetts-Bay.

THE advocates for the oppoſition to parliament, often remind us of the rights of the people, repeat the Latin adage, *vox populi vox Dei*, and tell us, that government, in the dernier reſort, is in the people:—they chime away melodiouſly, and, to render their muſic more raviſhing, tell us, that theſe are *revolution* principles. I hold the rights of the people to be ſacred, and revere the principles that have eſtabliſhed the ſucceſſion to the imperial crown of Great-Britain in the line of the illuſtrious houſe of Brunſwick; but the difficulty lies in applying them to the cauſe of the whigs, *hic labor, hoc opus eſt*; for admitting, that the collective body of the people, that are ſubject to the Britiſh empire, have an inherent right to change their form of government, or race of Kings; it does not follow, that the inhabitants of a ſingle province or of a number of provinces, or any given part under a majority of the whole empire, have ſuch a right. By admitting that the leſs may rule or ſequeſter themſelves from the greater, we unhinge all government. Novanglus has accuſed me of traducing the people of this province: I deny the charge. Popular demagogues always call themſelves *the people*, and, when their own meaſures are cenſured, cry out, the people, the people are abuſed and inſulted. He ſays, that I once entertained different ſentiments from thoſe now advanced: I did not write to exculpate myſelf: If through ignorance, or inadvertency, I have heretofore contributed, in any degree, to the form-

forming that deſtructive ſyſtem of politics that is now in vogue, I was under the greater obligation thus publicly to expoſe its errors, and point out its pernicious tendency. He ſuggeſts, that I write from ſordid motives: I deſpiſe the imputation. I have written my real ſentiments, not to ſerve a party (for as he juſtly obſerves, I have ſometimes quarrelled with my friends) but to ſerve the public; nor would I injure my country to inherit all the treaſures that avarice and ambition ſigh for. Fully convinced that our calamities were chiefly created by the leading whigs, and that a perſevering in the ſame meaſures, that gave riſe to our troubles, would complete our ruin; I have written freely. It is painful to me to give offence to an individual, but I have not ſpared the ruinous policy of my brother or my friend,—they are both far advanced.—Truth from its own energy will finally prevail, but, to have ſpeedy effect, it muſt ſometimes be accompanied with ſeverity. *The terms whig and tory have been adopted according to the arbitrary uſe of them in this province, but they rather ought to be reverſed; an American tory is a ſupporter of our excellent conſtitution, and an American whig is a ſubverter of it.*

Novanglus abuſes me for ſaying, that the whigs aim at independence. The writer from Hampſhire county is my advocate: He frankly aſſerts the independency of the colonies without any reſerve, and is the only conſiſtent writer I have met with on that ſide of the queſtion; for, by ſeparating us from the King as well as the parliament, he is under no neceſſity of contradicting himſelf. Novanglus ſtrives to hide the inconſiſtences of his hypotheſis, under a huge pile of learning. Surely he is not to learn, that arguments drawn from obſolete maxims, raked out of the ruins of the feudal ſyſtem, or from principles of abſolute monarchy, will not conclude to the preſent conſtitution of government: When he has finiſhed his eſſays, he may expect ſome particular remarks upon them. I ſhould not have taken the trouble of writing theſe letters, had I not been ſatisfied that real and permanent good would accrue to this province, and indeed to all the colonies, from a ſpeedy

change of meaſures. Public juſtice and generoſity are no leſs characteriſtic of the Engliſh, than their private honeſty and hoſpitality. The total repeal of the ſtamp-act, and the partial repeal of the act impoſing duties on paper, &c. may convince us, that the nation has no diſpoſition to injure us. We are bleſſed with a King that reflects honor upon a crown: He is ſo far from being avaricious, that he has relinquiſhed a part of his revenue; and ſo far from being tyrannical, that he has generouſly ſurrendered part of his prerogative for the ſake of freedom. His court is ſo far from being tinctured with diſſipation, that the palace is rather an academy of the literati; and the royal pair are as exemplary in every private virtue, as they are exalted in their ſtations. We have only to ceaſe contending with the ſupreme legiſlature reſpecting its authority, with the King reſpecting his prerogatives, and with Great-Britain reſpecting our ſubordination; to diſmiſs our illegal committees, diſband our forces, deſpiſe the thraldom of *arrogant congreſſes*, and ſubmit to conſtitutional government; to be happy.

Many appear to conſider themſelves as *procul à Jove à fulmine procul*, and, becauſe we never have experienced any ſeverity from Great-Britain, think it impoſſible that we ſhould. The Engliſh nation will bear much from its friends, but whoever has read its hiſtory muſt know, that there is a line that cannot be paſſed with impunity: It is not the fault of our patriots if that line be not already paſſed. They have demanded of Great-Britain more than ſhe can grant conſiſtent with her honor, her intereſt, or our own, and are now brandiſhing the ſword of defiance.

Do you expect to conquer in war? War is no longer a ſimple but an intricate ſcience, not to be learned from books, or two or three campaigns, but from long experience. You need not be told, that his Majeſty's Generals, Gage and Haldimand, are poſſeſſed of every talent requiſite to great commanders, matured by long experience in many parts of the world, and ſtand high in military fame; that many of the officers have been bred to arms from their infancy, and a large

large proportion of the army, *now* here, have already reaped immortal honors in the iron harveſt of the field.—Alas! My friends, you have nothing to oppoſe to this force, but a militia unuſed to ſervice, impatient of command, and deſtitute of reſources. Can your officers depend upon the privates, or the privates upon the officers? Your war can be but little more than mere tumultuary rage: And beſides, there is an awful diſparity between troops that fight the battles of their Sovereign, and thoſe that follow the ſtandard of rebellion. Theſe reflections may arreſt you in an hour that you think not of, and come too late to ſerve you. Nothing ſhort of a miracle could gain you one battle; but could you deſtroy all the Britiſh troops that are now here, and burn the men of war that command our coaſt, it would be but the beginning of ſorrow; and yet, without a deciſive battle, one campaign would ruin you. This province does not produce its neceſſary proviſion, when the huſbandman can purſue his calling without moleſtation: What then muſt be your condition, when the demand ſhall be increaſed and the reſource in a manner cut off?—Figure to yourſelves, what muſt be your diſtreſs ſhould your wives and children be driven from ſuch places, as the King's troops ſhall occupy, into the interior parts of the province, and they, as well as you, be deſtitute of ſupport. I take no pleaſure in painting theſe ſcenes of diſtreſs. The whigs affect to divert you from them by ridicule;—but ſhould war commence, you can expect nothing but its ſeverities. Might I hazard an opinion, but few of your leaders ever intended to engage in hoſtilities; but they may have rendered inevitable what they intended for intimidation. Thoſe that unſheath the ſword of rebellion may throw away the ſcabbard; they cannot be treated with while in arms; and if they lay them down, they are in no other predicament than conquered rebels. The conquered in other wars do not forfeit the rights of men, nor all the rights of citizens, even their bravery is rewarded by a generous victor; far different is the caſe of a routed rebel hoſt. My dear countrymen, you have before you, at your election, peace or

war,

war, happineſs or miſery. May the God of our forefathers direct you in the way that leads to peace and happineſs, before your feet ſtumble on the dark mountains,—before the evil days come, wherein you ſhall ſay, We have no pleaſure in them.

MASSACHUSETTENSIS.

April 3, 1775.

THE END.

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